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LAWS

OF THE

STATE OF ILLINOIS

ENACTED BY THE

FORTY-THIRD GENERAL ASSEMBLY

AT THE REGULAR BIENNIAL SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF SPRINGFIELD,
ON THE SEVENTH DAY OF JANUARY, A. D. 1903, AND
ADJOURNED SINE DIE ON THE SEVENTH
DAY OF MAY, A. D. 1903.

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LAWS OF ILLINOIS.

ADMINISTRATION OF ESTATES.

ADMINISTRATOR'S BOND.

§ 1. Amends section 23, act of 1872.

§ 23. Administrator shall give bond—form of bond required—amount of bond—when form may vary.

Approved May 13, 1903.

AN ACT to amend and revise section 23 of an act entitled "*An act in regard to the administration of estates,*" approved April 1, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 23 of an act entitled "*An act in regard to the administration of estates,*" approved April 1, 1872, in force July 1, 1872, be amended and revised so as to read as follows:

§ 23. Every administrator, except as is hereinbefore in section eight (8) provided, shall, before entering upon the duties of his office, enter into bond, with good and sufficient security, to be approved by the county court, and in counties having a probate court, by the probate court, in a sum double the value of the personal estate, and payable to the People of the State of Illinois, for the use of parties interested, substantially in the following form, to-wit:

"Know all men by these presents, That we, A B, C D and E F, of the county of — and State of Illinois, are held and firmly bound unto the People of the State of Illinois in the penal sum of — dollars, current money of the United States, which payment, well and truly to be made and performed, we and each of us bind ourselves, our heirs, executors and administrators, jointly, severally and firmly, by these presents. Witness our hands and seals, this — day of —, 18—. The condition of the above obligation is such, that, if the said A B, administrator of all and singular the goods and chattels, rights and credits of J K, deceased, do make, or cause to be made, a true and perfect inventory of all and singular the goods and chattels, rights and credits of the said deceased, which shall come to the hands, possession or knowledge of him, the said A B, as admin-

istrator, or to the hands of any person or persons for him, and the same so made, do exhibit, or cause to be exhibited, in the county court (or probate court) of the said county of — agreeably to law; and such goods and chattels, rights and credits do well and truly administer according to law, and all the rest of the said goods and chattels, rights and credits, which shall be found remaining upon the account of the said administrator, the same being at first examined and allowed by the court, shall deliver and pay unto such person or persons, respectively, as may be legally entitled thereto, and further, do make a just and true account of all his actings and doings therein, when thereunto required by the said court; and if it shall appear that any last will and testament was made by the deceased, and the same be proved in court, and letters testamentary or of administration be obtained thereon, and the said A B do, in such case, on being required thereto, render and deliver up the letters of administration granted to him as aforesaid, and shall in general do and perform all other acts which may at any time be required of him by law, then this obligation to be void; otherwise to remain in full force and virtue.”

Which said bond shall be signed and sealed by the said administrator and his securities, attested by the clerk of the county court, or probate court, or any person in the county authorized to administer oaths, and filed in said clerk's office, and that where it becomes necessary to sell the real estate of any intestate for the payment of debts against his estate under the provisions of this act, the court shall require the administrator to give further and additional bond, with good and sufficient security, to be approved by the court, in a sum double the value of the real estate of the decedent, sought to be sold, and payable to the People of the State of Illinois for the use of the parties interested, in the form above prescribed; and in all cases where bonds shall be taken from any administrator *de bonis non*, or in any other case where a form shall not be prescribed in this act, the same shall be made as nearly as may be in conformity with the form above prescribed, with corresponding variations to suit each particular case.

APPROVED May 13, 1903.

CLASSIFICATION OF CLAIMS.

§ 1. Amends section 70, act of 1872.

§ 70. Demands classified—limitations.

Approved May 15, 1903.

AN ACT to amend section 70 of an act entitled, "An act in regard to the administration of estates," approved April 1, 1872, and in force July 1, 1872, as amended by an act approved June 5, 1889, and in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 70 of an act entitled, "An act in regard to the administration of estates," approved April 1, 1872, and in force July 1, 1872, as amended by an act approved June 5, 1889, and in force July 1, 1889, be, and the same is hereby, amended to read as follows:

Section 70. DEMANDS CLASSIFIED—LIMITATIONS] All demands against the estate of any testator or intestate, shall be divided into classes in manner following, to wit:

First—Funeral expenses and necessary cost of administration.

Second—The widow's award, if there be a widow; or children, if there are children and no widow.

Third—Expenses attending last illness, not including physician's bill, and demands due common laborers or household servants of deceased for labor.

Fourth—Debts due the common school fund or township.

Fifth—The physician's bill in the last illness of the deceased.

Sixth—Where the deceased has received money in trust for any purpose, his executor or administrator shall pay out of his estate the amount thus received, and not accounted for.

Seventh—All of other debts and demands of whatever kind without regard to quality or dignity which shall be exhibited to the court within one year from granting of letters as aforesaid, and all demands not exhibited within one year as aforesaid, shall be forever barred, unless the creditors shall find other estate of the deceased not inventoried or accounted for by the executor or administrator, in which case their claims shall be paid *pro rata* out of such subsequently discovered estate, saving, however, to infants, persons of unsound mind, persons without the United States, in the employment of the United States or of this State, the term of one year after their respective disabilities are removed, to exhibit their claims.

APPROVED May 15, 1903.

AGRICULTURE AND HORTICULTURE.

FARMERS' INSTITUTE.

§ 1. Amends section 6, act of 1895.

§ 6. Directors—term of office—vacancies—organization—salary of secretary—auditor authorized to draw warrant.

Approved May 15, 1903.

AN ACT to amend section 6 of "An act creating the Illinois Farmers' Institute," approved June 24, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 6 of "An act creating the Illinois Farmers' Institute," approved June 24, 1895, be amended to read as follows:

§ 6. The members of each new board of directors shall enter upon their duties the second Tuesday after their election, and hold their offices for one or two years, as provided in section 3, or until their successors are elected and enter upon their duties. The board of directors shall have power to fill vacancies in the board. It shall organize by the election of a president, vice-president, treasurer and secretary, who shall hold their offices for one year, their term of office to begin July 1, following their election. It shall employ such superintendents, speakers and clerks as may be deemed proper for organizing and conducting the work of the Illinois Farmers' Institute, and provide for their compensation by the rules of the board of directors. The secretary and the treasurer may be other than members of the board of directors. The salary of the secretary shall be two thousand dollars (\$2,000) a year, payable in monthly installments.

The Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer monthly for the salary of the secretary of the Illinois Farmers' Institute, as herein provided, payable out of any fund in his hands not otherwise appropriated.

APPROVED May 15, 1903.

FERTILIZERS—MANUFACTURE AND SALE REGULATED.

§ 1. Amends section 1, 3 and 5, act of 1885.

§ 1. Packages shall bear printed certificate.

§ 3. Manufacturers and dealers to pay license fee.

§ 5. Violations of act—penalty.

Approved May 15, 1903.

AN ACT to amend sections one (1), three (3) and five (5) of an act entitled, "An act to prevent fraud in the manufacture and sale of commercial fertilizers," approved June 29, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections one (1), three

(3) and [five] (5) of an act entitled "An act to prevent fraud in the manufacture and sale of commercial fertilizers," approved June 29, 1885, and in force July 1, 1885, be, and the same are hereby, amended so as to read as follows:

§ 1. That any person or company who shall offer, sell or expose for sale in this State, any commercial fertilizer, the price of which exceeds five dollars a ton, shall affix to every package, in a conspicuous place on the outside thereof, a plainly printed certificate, stating the number of net pounds in the packages sold or offered for sale, the name or trademark under which the article is sold, the name of the manufacturer, and the place of manufacture, and a chemical analysis, stating the percentage of nitrogen in available form, of potassium soluble in water, and of phosphorus, in an available form (soluble or reverted), as well as the total phosphorus.

§ 3. The manufacturer, importer or agent of any commercial fertilizer, exceeding five dollars per ton in price, shall pay, annually, on or before the first of May, a license fee of twenty dollars for the privilege of selling or offering for sale, within the State, said fee to be paid to the treasurer of the Illinois State Board of Agriculture: *Provided*, that whenever the manufacturer or importer shall have paid the license fee herein required, for any person acting as agent for such manufacturer or importer, such agent shall not be required to pay the fee named in this section.

§ 5. Any person or party who shall offer or expose for sale any commercial fertilizer, without complying with the provisions of sections one, two and three of this act, or shall permit an analysis to be attached to any package of such fertilizer, stating that it contains a larger percentage of any one or more of the constituents named in section one of this act than it really does contain, shall be fined not less than two hundred dollars for the first offense, and not less than five hundred dollars for every subsequent offense; and the offender, in all cases, shall also be liable for damages sustained by the purchaser of such fertilizer: *Provided, however*, that a deficiency of one per cent of the nitrogen, potassium, or phosphorus claimed to be contained, shall not be considered as evidence of fraudulent intent.

APPROVED May 15, 1903.

ANIMALS.

STOCK BREEDERS—PROTECTION OF.

§ 1. Amends section 3, act of 1887.

§ 3. Owners of sire have lien on get.

Approved May 14, 1903.

AN ACT to amend section three (3) of an act entitled "*An act to protect stock breeders within the State of Illinois*," approved June 10, 1887, in force July 1, 1887; as amended by act approved June 1, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section three (3) of an act entitled "*An act to protect stock breeders within the State of Illinois*," approved June 10, 1887, in force July 1, 1887, be, and the same is hereby, amended so as to read as follows:

Section 3. The owner or owners of any sire receiving such certificate, by complying with section one (1) of this act, shall obtain and have a lien upon the get of any such sire, for the period of one year from the date of birth of get.

APPROVED May 14, 1903.

VETERINARY MEDICINE AND SURGERY.

§ 1. Amends sections 1, 2, 3, 4, 5, 8, 9 and 10, act of 1899.

§ 1. Unlawful practice of veterinary surgery.

§ 2. Board of veterinary examiners—appointments—qualification—duties.

§ 3. Who may practice without license—examinations for license.

§ 4. Graduates of colleges—experienced veterinarians—fees.

§ 5. Examining board — duties — granting licenses — exemptions from jury service.

§ 8. Who are practitioners of veterinary medicine and surgery.

§ 9. Temporary permits to practice.

§ 10. Illegal practice a misdemeanor — penalty.

Approved May 16, 1903.

AN ACT to amend sections 1, 2, 3, 4, 5, 8, 9 and 10 of an act entitled "*An act to regulate the practice of veterinary medicine and surgery in the State of Illinois*," approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 2, 3, 4, 5, 8, 9 and 10 of an act entitled "*An act to regulate the practice of veterinary medicine and surgery in the State of Illinois*," approved April 24, 1899, in force July 1, 1899, be amended to read as follows, to-wit:

SECTION 1. That it shall be unlawful for any person to practice veterinary medicine and surgery in any of its branches, including veterinary dentistry, and excepting the castrating and spaying of animals and dehorning of cattle, in this State, who shall not have complied with the provisions of this act.

§ 2. The State Board of Live Stock Commissioners shall, as soon as practicable after this act goes into effect, appoint three competent veterinary surgeons, not more than two of whom shall be graduates of the same veterinary college, and neither of whom shall be connected with any veterinary college in any capacity, who shall constitute a board of veterinary examiners, and who shall continue to serve on such board at the pleasure of said Board of Live Stock Commissioners. Any vacancy on the board of veterinary examiners shall be filled by the State Board of Live Stock Commissioners, by appointment of a graduate of some reputable veterinary college, under the same restrictions as are herein required in the appointment of the first board of veterinary examiners. The board of veterinary examiners shall meet at such times and places as may be ordered by the State Board of Live Stock Commissioners, for the purpose of examining diplomas and credentials, and conducting examinations of applicants for license to practice veterinary medicine and surgery in the State of Illinois.

§ 3. All persons in the State of Illinois who are in possession of a diploma from a veterinary college recognized by the board of veterinary examiners of Illinois, or who had been in the continuous practice of veterinary medicine and surgery in this State for a period of three consecutive years, prior to April 24, 1899, shall be entitled to practice veterinary medicine and surgery in this State upon making application to the State Board of Live Stock Commissioners and receiving from said board a license as provided by the terms of this act. Any person over 21 years of age, of good moral character, may make application to the State Board of Live Stock Commissioners and may be granted a license by said board, by passing an examination before the board of veterinary examiners and otherwise complying with the provisions of this act. Any person who, subsequent to the passage of this act, becomes a graduate of a veterinary college recognized by the board of veterinary examiners of Illinois, as evidenced by its diploma, or being possessed of such diploma, becomes a citizen of this State by removal thereto from another locality, may make application to the State Board of Live Stock Commissioners and receive a license, as aforesaid, by proving the genuineness of such diploma and otherwise complying with the provisions of this act: *Provided, however*, that in any such case an examination before the board of veterinary examiners may, in the discretion of said board, be required of such applicant.

§ 4. Graduates of recognized veterinary colleges desiring to obtain license to practice veterinary medicine and surgery in this State shall make application in writing to the State Board of Live Stock Commissioners, through its secretary, who shall act as secretary of

the board of veterinary examiners, upon blanks prescribed and furnished by said board, which application shall set forth the grounds upon which the application is based, and shall be accompanied by the diploma of the applicant with his affidavit, setting forth that the applicant is a graduate of a certain veterinary college mentioned in the diploma, and that he is the person to whom the diploma in question was originally issued, and shall be accompanied by a license fee of \$5. Veterinary practitioners who had been in the actual practice of veterinary medicine and surgery in this State continuously for three consecutive years prior to April 24, 1899, and recognized as veterinary practitioners in the community in which they lived, desiring to obtain license to practice veterinary medicine and surgery in this State, shall in like manner make application therefor within six months after this amendatory act goes into effect, setting forth fully the grounds upon which such application is based, with the affidavit of the applicant, stating the number of years the applicant had been engaged in the actual practice of veterinary medicine and surgery in the State of Illinois, prior to April 24, 1899, and recognized as a veterinary practitioner in the community in which he lived, and any other information that may be required by the State Board of Live Stock Commissioners, which affidavit shall be supported by the affidavits of two disinterested freeholders, who are owners or breeders of live stock. Said application shall be accompanied by a license fee of \$5. Graduates of veterinary colleges not recognized by the board of veterinary examiners, and persons not included in the foregoing provisions of this section, desiring to obtain license to practice veterinary medicine and surgery in this State, may make application as above, for examination before the board of veterinary examiners. Said examination shall be in writing and shall include the following subjects: Veterinary anatomy, surgery, practice of medicine, obstetrics, pathology, chemistry, veterinary diagnosis, materia medica, therapeutics, physiology, sanitary medicine, meat and milk inspection, veterinary dentistry, and such other branches as the board of veterinary examiners may prescribe. The fee for examination in all cases shall be \$20, which [shall] accompany the application.

§ 5. It shall be [be] the duty of the board of veterinary examiners, when called to meet by the State Board of Live Stock Commissioners, to examine the applications, diplomas and affidavits of all applicants who are graduates or practitioners under the terms of this act, and when satisfied of the genuineness of the same it shall certify to the State Board of Live Stock Commissioners the names of the applicants entitled to receive a license under the terms of this act: *Provided*, that the said board of veterinary examiners may, before acting upon an application, if deemed necessary, require additional statements or affidavits, or the personal attendance before it of any applicant. The said board of examiners shall examine all applicants for examination as hereinbefore provided, and shall certify to the State Board of Live Stock Commissioners the names of all applicants that are, in the judgment of the board, entitled to license to practice veterinary medicine and surgery.

The Board of Live Stock Commissioners shall, at its next meeting after the receipt of such certified list or lists, issue a license to each person so certified, which shall entitle the person therein named to practice veterinary medicine and surgery in this State; said license shall state the grounds upon which it is granted, and shall be signed by the chairman and secretary of said board: *Provided*, that the State Board of Live Stock Commissioners shall have power, upon the recommendation of the board of veterinary examiners, to refuse a license to any applicant on the ground of his having been guilty of gross immorality or gross malpractice, and upon such recommendation it shall have the power to revoke a license on said grounds: *Provided, further*, that before making such recommendation the party charged with such immorality or malpractice shall be cited by the board of veterinary examiners to appear for hearing before said board. All veterinarians licensed by the State Board of Live Stock Commissioners shall be exempt from jury service in this State. A full report of the proceedings of the board of veterinary examiners shall be filed at the close of each meeting with the Board of Live Stock Commissioners, which shall include a statement of the number of days employed in the discharge of its duties, and of the traveling and necessary incidental expenses of the members thereof, and of the secretary.

§ 8. Any person shall be regarded as practicing veterinary medicine and surgery within the meaning of this act who professes publicly to be a veterinary surgeon or dentist, or who appends to his name any initials or title implying qualifications to practice; or who shall treat, operate on or prescribe for any physical ailment in, or any physical injury to, or deformity of, any domestic animal, for which he shall receive any compensation, either directly or indirectly; but nothing in this act shall be construed to prohibit veterinary students from prescribing under the immediate supervision of preceptors; and castrating and spaying animal [animals] and dehorning cattle shall not be regarded as practicing veterinary surgery within the meaning of this act. The terms of this act shall not apply to commissioned veterinarians in the United States army, nor to any lawfully qualified veterinarian residing in other states or countries meeting registered veterinarians in [this] State in consultation.

§ 9. Temporary permits to practice may be issued by the secretary of the Board of Live Stock Commissioners under such regulations as may be prescribed by the board of veterinary examiners to graduates of recognized veterinary colleges and to practitioners who had been in the continuous practice of veterinary medicine and surgery in this State for a period of three consecutive years prior to the 24th day of April, 1899, who shall make application for license as provided in section four (4) of this act, which permit shall entitle the holder to practice veterinary medicine and surgery in this State pending a meeting of the board of veterinary examiners.

§ 10. Any person practicing veterinary medicine and surgery or dentistry in this State without a license or a temporary permit, as

hereinbefore provided, or who shall fail to comply with any of the terms of this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars (\$25) nor more than one hundred dollars (\$100) for each and every offense; and it shall be the duty of the State's attorney of the county where such offense is committed to prosecute all persons violating the provisions of this act, upon proper complaint being made. All fines collected under this act shall be paid into the treasury of the county where the prosecution is held.

APPROVED May 16, 1903.

APPRENTICES.

PROVISIONS CONCERNING INDENTURES.

§ 1. Amends section 10, act of 1874.

§ 10. What indentures shall provide.

Approved May 15, 1903.

AN ACT to amend section 10 of an act entitled "An act to revise the law in relation to apprentices," approved February 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section ten (10) of an act entitled "An act to revise the law in relation to apprentices," approved February 25, 1874, and in force July 1, 1874, be, and the same is hereby, amended so as to read as follows:

§ 10. In all indentures it shall be provided that the master shall cause such clerk, apprentice or servant to be taught to read and write, and the ground rules of arithmetic; and also that at the expiration of such term of service, the master shall give to such apprentice a new Bible and two complete suits of new wearing apparel suitable to his or her condition in life, and twenty (20) dollars in money, in all cases where the term of service has been one year or more. In all municipalities where a manual training school is maintained for the technical instruction of apprentices, such indentures shall further provide that it shall be the duty of the master to cause the apprentice to attend such school for at least three consecutive months in each year, without expense to the apprentice.

APPROVED May 15, 1903.

APPROPRIATIONS.

ADJUTANT GENERAL—OFFICE AND MEMORIAL HALL.

§ 1. Memorial hall, \$850—vaults and office,
\$3,834.

§ 2. How drawn.

Approved May 15, 1903.

AN ACT to provide for improvements in Memorial Hall and Adjutant General's Office.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eight hundred fifty dollars (\$850) or so much thereof as may be necessary, is hereby appropriated to pay for a linoleum cover for the floor of Memorial Hall, and for the erection of a suitable case to contain the flags of the Illinois volunteer regiments in the Spanish-American war. For steel fixtures and file cases for office vault, and for partitions and improvements in the office of the Adjutant General, the sum of three thousand eight hundred thirty-four dollars (\$3,834), or so much thereof as may be necessary, is hereby appropriated.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sums herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General, and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 15, 1903.

AGRICULTURE—COLLEGE AND EXPERIMENT STATION.

Preamble.

§ 1. College of Agriculture, per annum,
\$50,000.

§ 2. Experiment station, for stock and
stock foods, per annum, \$10,000.

§ 3. Experiment station, for corn breeding,
per annum, \$10,000.

§ 4. Experiment station, for soil analysis,
etc., per annum, \$20,000.

§ 5. Experiment station, for orchards, etc.,
per annum, \$5,000.

§ 6. Experiment station, for dairy matters,
per annum, \$5,000.

§ 7. Meetings of associations mentioned in
act—reports—expenses.

§ 8. How drawn—how used.

Approved May 15, 1903.

AN ACT to extend the equipment and increase the instruction in the College of Agriculture, and to provide for the extension of the Agricultural Experiment Station, and to make appropriations therefor.

WHEREAS, Not only in this but in other states there is coming to be a widespread interest and appreciation of the importance of thorough investigation and instruction in the principles that underlie successful agriculture, and,

WHEREAS, This appreciation rests not so much upon private interests as upon considerations of public policy to the end that all the soils of the State may produce abundantly, that the quality may be unexcelled in the markets of the world, and that the fertility of our lands may remain unimpaired for future years and generations, and,

WHEREAS, The Experiment Station has been placed on a permanent financial basis, and is conducting investigations of large economic importance to the State, and,

WHEREAS, The College of Agriculture has passed the experimental stage, and attendance upon its courses and demands upon its resources are constantly increasing, and,

WHEREAS, The facilities for instruction and investigation possessed by the College and Station are excellent in certain lines, exceedingly deficient in others, and in still others entirely wanting, and,

WHEREAS, The State has hitherto appropriated but little for the support of the College of Agriculture, leaving it almost entirely dependent upon limited funds received from the General Government, and which are now proving insufficient for present and growing needs, therefore, be it

Resolved, That the following agricultural organizations of the State; viz.:

The Illinois Farmers' Institute,
The Illinois Live Stock Breeders' Association,
The Illinois Corn Growers' Association,
The State Horticultural Society,
The State Dairymen's Association,
The Illinois Sugar Beet Growers' Association,
The Illinois Poultry Association,

earnestly request that the College of Agriculture as well as the Experiment Station be put upon a permanent basis, with funds sufficient to provide for equipment, and instructors to meet the urgent and growing demands upon it. and to enable the Station to continue to prosecute vigorous research along certain specific lines demanded by the farmers of the State.

Resolved, That the results of the investigations provided for in House Bill 315 passed by the Forty-second General Assembly have been such as to many times repay the taxpayers for the outlay.

Resolved, That for the further equipment of said College of Agriculture and Experiment Station, and to provide for the continuance and enlargement of investigations of the highest order and utility along the principal lines of practical agriculture, the farmers of the State respectfully petition the Forty-third General Assembly to provide at least the following amounts for the respective lines of work, viz.:

1. To extend the equipment and increase instruction in the College of Agriculture in order to meet the pressing and increasing demands of the farmers of the State, fifty thousand dollars annually.

2. For feeding experiments, and investigating market conditions of live stock and animal products, twenty-five thousand dollars annually.

3. To investigate the various soils of the State, and determine the best treatment for each, and to make a soil survey and accurately map in colors the exact location, extent, and boundary of each distinct type of soil, twenty-five thousand dollars annually.

4. To conduct investigations in the improvement of corn by breeding, and to discover and demonstrate the best methods of its production on the various soils of the State, ten thousand dollars annually.

5. For investigation into orchard conditions and treatment especially as regards insects and fungous enemies, ten thousand dollars annually.

6. To discuss and demonstrate on the farms and in the factories of the State, improved methods of producing and marketing dairy products, fifteen thousand dollars annually.

7. To investigate and demonstrate the best methods of seeding and cultivating sugar beets on the various soils of the State, to experiment upon the production of beet seed especially adapted to Illinois conditions, and to determine accurately and conclusively upon the adaptability of this State to the profitable production of sugar, five thousand dollars annually.

8. To conduct such experiments and investigations as shall be most helpful to the poultry interests of the State, five thousand dollars annually.

Resolved, That we, the farmers of the State earnestly request all other taxpayers to join us in this petition to the General Assembly to devote the above sums to education in agriculture, and to the development of the agricultural resources of the State, being as they are less than two-thirds of one per cent of the twenty millions of dollars raised annually by taxation for the maintenance of the public schools, therefore, with the intent of equipping said college and station for instruction and investigation of the highest order along principal lines of agriculture.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That it shall be the duty of the College of Agriculture to give thorough and reliable instruction in the economic production of field and orchard crops; the treatment of the different soils of the State in such manner as to secure the largest returns from each and without impairing its fertility; the principles of breeding and management of live stock, including animal diseases and a thorough knowledge of the various breeds and market classes; the economic and sanitary production of dairy goods, and the best methods of meeting existing market demands, and of extending and developing trade in the agricultural productions of the State. That it shall be the further duty of said college to provide and maintain such live stock specimens, laboratories, apparatus

and other material equipment and buildings, together with teachers of such experience and skill as shall make such instruction effective. That to carry out the provisions of this section there be, and hereby is, appropriated the sum of fifty thousand dollars (\$50,000) annually for the years 1903 and 1904: *Provided*, that the disposition of the funds from time to time to carry out the intent of this act shall be along lines agreed upon by the dean of the College of Agriculture and an advisory committee consisting of the presidents of the following State agricultural organizations, to-wit: The Illinois Farmers' Institute, the Illinois Live Stock Breeders' Association, the State Horticultural Society, the Illinois Corn Growers' Association, the State Dairymen's Association.

§ 2. That it shall be the duty of the Agricultural Experiment Station to conduct investigations calculated to develop the beef, pork, mutton, wool, and horse producing interests of the State and especially to devise and conduct feeding experiments intended to determine the most successful combinations of stock food, particularly in Illinois grains and forage crops, and to discover the most economical and successful methods of maintaining animals and fitting them for the markets; to investigate live stock conditions, both at home and abroad, in so far as they affect market values, and to publish the results of such experiments and investigations. That to carry out the provisions of this section there be, and hereby is, appropriated the sum of ten thousand dollars (\$10,000) annually for the years 1903 and 1904: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed by the Illinois Live Stock Breeders' Association.

§ 3. That it shall be the duty of the Agricultural Experiment Station to conduct experiments in the several sections of the State, in order to discover the best methods of producing corn on the different soils and under the various climatic conditions of the State, and for the purpose of improving the varieties grown for special purposes, etc., and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of ten thousand dollars (\$10,000) annually for the years 1903 and 1904: *Provided*, that the work outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed as follows: Two by the Illinois Corn Growers' Association, two by the Illinois Seed Corn Breeders' Association, and one by the Illinois Grain Dealers' Association.

§ 4. That it shall be the duty of the Agricultural Experiment Station to make chemical and physical examination of the various soils of the State in order to identify the several types and determine their character, to make and publish an accurate survey with colored maps in order to establish the location, extent, and boundaries of each; to ascertain by direct experiment in laboratory and field, what

crops and treatment are best suited to each; whether the present methods are tending to best results and whether to the preservation or reduction of fertility, and what rotations and treatments will be most effective in increasing and retaining the productive capacity of Illinois lands; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of twenty thousand dollars (\$20,000) annually, for the years 1903 and 1904: *Provided*, that the work outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed by the Illinois Farmers' Institute.

§ 5. That it shall be the duty of the Agricultural Experiment Station to discover and demonstrate the best methods of orchard treatment in the fruit sections of the State, and the most effective remedies for insect and fungous enemies to fruit and trees; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of five thousand dollars (\$5,000) annually, for the years 1903 and 1904: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed by the Illinois State Horticultural Society.

§ 6. That it shall be the duty of the Agricultural Experiment Station to investigate the dairy conditions of the State; to discover and demonstrate improved methods of producing and marketing wholesome milk and other dairy products, and to promote the dairy interests of the State by such field assistance in the dairy sections upon farms and in the creameries and factories as shall tend to better methods and more uniform products; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of five thousand dollars (\$5,000) annually, for the years 1903 and 1904: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed by the Illinois Dairywomen's Association.

§ 7. That the committees representing the several associations herein named shall meet annually at the College of Agriculture at Urbana, at such time as may be designated by the dean of said college, or the director of the Agricultural Experiment Station, as the case may be; that they shall serve without compensation except for expenses, to be paid out of the respective funds, and that said committees shall make to their respective associations, at their annual meetings, full reports of the work in progress under the provisions of this act.

§ 8. That the Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the sums herein appropriated in semi-annual installments upon the order of the chairman of the Board of Trustees of the University of Illinois, countersigned by its secretary and with the corporate seal of said uni-

versity, and no installment subsequent to the first, shall be paid by the treasurer nor warrants drawn therefor until detailed accounts, showing the expenditures of the preceding installment, have been filed with the Auditor of Public Accounts: *Provided*, that no part of the funds herein appropriated, except in section 1, shall be used for salaried teachers: *And, provided further*, that any revenue arising from the operations of the several sections of this act shall revert to the respective funds from which obtained for further extension of the work outlined. Nothing herein contained shall be deemed to take away from the board of trustees of the University of Illinois the usual authority conferred by law over the expenditure of moneys appropriated to said university. The recommendations of the committees herein provided for shall be advisory, but the use of the moneys herein appropriated shall rest in the discretion of said board for the purposes herein set forth, and said board shall account therefor.

APPROVED May 15, 1903.

AGRICULTURE—COLLEGE AND EXPERIMENT STATION.

Preamble.

- § 1. College of Agriculture, per annum, \$50,000. ✓
- § 2. Experiment station, for stock and stock foods, per annum. \$25,000. 16
- § 3. Experiment station, for corn breeding, per annum, \$10,000.
- § 4. Experiment station, for soil analysis, etc., per annum, \$25,000. 94

- § 5. Experiment station, for orchards, etc., per annum, \$10,000. 5
- § 6. Same, for dairy interests, per annum, \$15,000. 5
- § 7. Meetings of those associations mentioned in act—reports—expenses.
- § 8. How drawn.

Approved May 18, 1903.

AN ACT to extend the equipment and increase the instruction in the College of Agriculture, and to provide for the extension of the Agricultural Experiment Station, and to make appropriations therefor.

WHEREAS, Not only in this, but in other states, there is coming to be a widespread interest and appreciation of the importance of thorough investigation and instruction in the principles that underlie successful agriculture; and,

WHEREAS, This appreciation rests, not so much upon private interests as upon considerations of public policy, to the end that all the soils of the State may produce abundantly, that the quality may be unexcelled in the markets of the world, and that the fertility of our lands may remain unimpaired for future years and generations; and,

WHEREAS, The Experiment Station has been placed on a permanent financial basis, and is conducting investigations of large economic importance to the State; and,

WHEREAS, The College of Agriculture has passed the experimental stage, and attendance upon its courses and demands upon its resources are constantly increasing; and,

WHEREAS, The facilities for instruction and investigation possessed by the college and station are excellent in certain lines, exceedingly deficient in others, and still in others entirely wanting; and,

WHEREAS, The State has hitherto appropriated but little for the support of the College of Agriculture, leaving it almost entirely dependent upon limited funds received from the general government, and which are now proving insufficient for present and growing needs; therefore, be it

Resolved, That the following agricultural organizations of the State, viz.:

The Illinois Farmers' Institute,
The Illinois Live Stock Breeders' Association,
The Illinois Corn Growers' Association,
The State Horticultural Society,
The State Dairymen's Association,
The Illinois Sugar Beet Growers' Association, and
The Illinois Poultry Association,

earnestly request that the College of Agriculture, as well as the Experiment Station, be put upon a permanent basis, with funds sufficient to provide for equipment and instructors to meet the urgent and growing demands upon it, [and] to enable the station to continue to prosecute vigorous research along certain specific lines demanded by the farmers of the State.

Resolved, That the results of the investigations provided for in House Bill 315, passed by the Forty-second General Assembly, have been such as to many times repay the taxpayers for the outlay.

Resolved, For the further equipment of said College of Agriculture and Experiment Station, and to provide for the continuance and enlargement of investigations of the highest order and utility along the principal lines of practical agriculture, the farmers of the State respectfully petition the Forty-third General Assembly to provide at least the following amounts for the respective lines of work, viz.:

1. To extend the equipment and increase instruction in the College of Agriculture, in order to meet the pressing and increasing demands of the farmers of the State, fifty thousand dollars annually.

2. For feeding experiments and investigating market conditions of live stock and animal products, twenty-five thousand dollars annually.

3. To investigate the various soils of the State, and to determine the best treatment for each, and to make a soil survey and accurately map in colors the exact location, extent and boundary of each distinct type of soil, twenty-five thousand dollars annually.

4. To conduct investigations in the improvement of corn by breeding, and to discover and demonstrate the best methods of its production on the various soils of the State, ten thousand dollars annually.

5. For investigation into orchard conditions and treatment, especially as regards insects and fungous enemies, ten thousand dollars annually.

6. To discuss and demonstrate on the farms, and in the factories of the State, improved methods of producing and marketing dairy products, fifteen thousand dollars annually.

7. To investigate and demonstrate the best methods of seeding and cultivating sugar beets on the various soils of the State, to experiment upon the production of beet seed especially adapted to Illinois conditions, and to determine accurately and conclusively upon the adaptability of this State to the profitable production of sugar, five thousand dollars annually.

8. To conduct such experiments and investigations as shall be most helpful to the poultry interest of the State, five thousand dollars annually.

Resolved, The farmers of the State earnestly request all other taxpayers to join us in this petition to the General Assembly to devote sums to education in agriculture and the development of the agricultural resources of the State, being as they are less than two-thirds of one per cent of the twenty millions of dollars raised annually by taxation for the maintenance of the public schools; therefore, with the intent of equipping said college and station for instruction and investigation of the highest order along principal lines of agriculture,

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That it shall be the duty of the College of Agriculture to give thorough and reliable instruction in the economic production of field and orchard crops; the treatment of the different soils of the State in such manner as to secure the largest returns from each, and without impairing its fertility; the principles of breeding and management of live stock, including animal diseases, and a thorough knowledge of the various breeds and market classes; the economic and sanitary production of dairy goods, and the best methods of meeting existing market demands, and of extending and developing trade in the agricultural productions of the State. That it shall be the further duty of said college to provide and maintain such live stock specimens, laboratories, apparatus and other material equipment and buildings, together with teachers of such experience and skill as shall make such instruction effective. That to carry out the provisions of this section there be, and hereby is, appropriated the sum of fifty thousand dollars (\$50,000) annually for the years 1903 and 1904: *Provided*, that the disposition of the funds from time to time, to carry out the intent of this act, shall be along lines agreed upon by the dean of the College of Agriculture and an advisory committee consisting of the presidents of the following State agricultural organizations, to-wit: The Illinois Farmers' Institute,

the Illinois Live Stock Breeders' Association, the State Horticultural Society, the Illinois Corn Growers' Association, the State Dairymen's Association.

§ 2. That it shall be the duty of the Agricultural Experiment Station to conduct investigations calculated to develop the beef, pork, mutton, wool, and horse producing interests of the State, and especially to devise and conduct feeding experiments intended to determine the most successful combinations of stock foods, particularly in Illinois grains and forage crops, and to discover the most economical and successful methods of maintaining animals and fitting them for the market; to investigate live stock conditions, both at home and abroad, in so far as the [they] affect market values, and to publish the results of such experiments and investigations. That to carry out the provisions of this section there be, and hereby is, appropriated the sum of twenty-five thousand dollars (\$25,000) annually for the years 1903 and 1904: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and advisory committee of five to be appointed by the Illinois Live Stock Breeders' Association.

§ 3. That it shall be the duty of the Agricultural Experiment Station to conduct experiments in the several sections of the State, in order to discover the best methods of producing corn on the different soils and under the various climatic conditions of the State, and for the purpose of improving the varieties grown for special purposes, etc., and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of ten thousand dollars (\$10,000), annually, for the years 1903 and 1904: *Provided*, that the work outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed as follows: Two by the Illinois Corn Growers' Association, two by the Illinois Seed Corn Breeders' Association, and one by the Illinois Grain Dealers' Association.

§ 4. That it shall be the duty of the Agricultural Experiment Station to make chemical and physical examination of the various soils of the State, in order to identify the several types and determine their character, to make and publish an accurate survey with colored maps in order to establish the location, extent, and boundaries of each; to ascertain, by direct experiment in laboratory and field, what crops and treatment are best suited to each; whether the present methods are tending to best results, and whether to the preservation or reduction of fertility, and what rotations and treatments will be most effective in increasing and retaining the productive capacity of Illinois lands; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of twenty-five thousand dollars (\$25,000), annually for the years 1903 and 1904: *Provided*, that the work outlined in this section shall be carried out on lines to

be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five appointed by the Illinois Farmers' Institute.

§ 5. That it shall be the duty of the Agricultural Experiment Station to discover and demonstrate the best methods of orchard treatment in the fruit sections of the State, and the most effective remedies for insect and fungous enemies to fruits and trees; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of ten thousand dollars (\$10,000) annually, for the years 1903 and 1904: *Provided*, that the work undertaken and outlined in this section, shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed by the Illinois State Horticultural Society.

§ 6. That it shall be the duty of the Agricultural Experiment Station to investigate the dairy conditions of the State; to discover and demonstrate improved methods of producing and marketing wholesome milk and other dairy products, and to promote the dairy interests of the State by such field assistance in the dairy sections, upon farms, and in the creameries and factories as shall tend to better methods and more uniform products; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of fifteen thousand dollars (\$15,000) annually, for the years 1903 and 1904: *Provided*, that the work undertaken and outlined in this section, shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and an advisory committee of five to be appointed by the Illinois Dairymen's Association.

§ 7 That the committees representing the several associations herein named, shall meet annually at the College of Agriculture at Urbana, at such time as may be designated by the dean of said college, or the director of the Agricultural Experiment Station, as the case may be; that they shall serve without compensation, except for expenses, to be paid out of the respective funds, and that said committees shall make to their respective associations, at their annual meetings, full reports of the work in progress under the provisions of this act.

§ 8. That the Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer for the sums herein appropriated in semi-annual installments upon the order of the chairman of the Board of Trustees of the University of Illinois, countersigned by its secretary, and with the corporate seal of said university, and no installment subsequent to the first, shall be paid by the Treasurer, nor warrant drawn therefor, until detailed accounts, showing the expenditures of the preceding installment, have been filed with the Auditor of Public Accounts: *Provided*, that no part of the funds herein appropriated, except in section 1, shall be used for salaries of teachers: *And, provided further*, that any revenue arising from the operations of the several sections of this act, shall revert to the respective funds from which obtained for further exten-

sion of the work outlined. Nothing herein contained shall be deemed to take away from the board of trustees of the University of Illinois the usual authority conferred by law over the expenditure of moneys appropriated to said university. The recommendations of the committees herein provided for shall be advisory, but the use of the moneys herein appropriated, shall rest in the discretion of said board for the purposes herein set forth, and said board shall account therefor.

APPROVED May 18, 1903.

AGRICULTURE—HORTICULTURAL SOCIETY.

§ 1. Appropriates, per annum, \$5,000—how drawn—how used. Approved May 15, 1903.

AN ACT making an appropriation in aid of the Illinois State Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the use of the Illinois State Horticultural Society, the sum of five thousand dollars (\$5,000) per annum for the purpose of advancing the growth and development of the horticultural interests of the State, for the years 1903 and 1904, said sum to be expended by said society for the purpose and in the manner specified in "An act to organize the Illinois State Horticultural Society," approved March 24, 1874: *Provided, however,* that no portion thereof shall be paid for, [or] on account of, any salary or emoluments of any officer of said society, except the secretary, who may receive not to exceed four hundred dollars (\$400) per annum. *And, provided, further,* that at least one thousand dollars (\$1,000) of said sum be expended each year in field experiments.

APPROVED May 15, 1903.

AGRICULTURE—STATE AND COUNTY FAIRS.

§ 1. For State and county fairs, per annum, \$15,530.

§ 3. Duty of treasurer of State Board of Agriculture.

§ 2. How drawn.

Approved May 15, 1903.

AN ACT making an appropriation for the State Board of Agriculture and county and other agricultural fairs.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to the State Board of Agriculture the following sums, to-wit:

For the encouragement of an exhibit at the State Fair, the sum of five thousand dollars (\$5,000) per annum, for the years 1903 and 1904, and for the use of each county or other agricultural society,

the sum of two hundred dollars (\$200) per annum, to be paid to the treasurer of the society, for fairs held in 1902 and 1903.

For salary of the secretary, the sum of twenty-five hundred dollars (\$2,500) per annum, for the years 1903 and 1904.

For clerk hire, the sum of thirty-two hundred and sixty dollars (\$3,260) per annum, for the years 1903 and 1904.

For curator, the sum of one thousand dollars (\$1,000) per annum, for the years 1903 and 1904.

For receiving and shipping clerk, the sum of one thousand dollars (\$1,000) per annum, for the years 1903 and 1904.

For janitor, the sum of four hundred and twenty dollars (\$420) per annum, for the years 1903 and 1904.

For the agricultural museum, the sum of one hundred and fifty dollars (\$150) per annum, for the years 1903 and 1904.

For the expenses of collecting, compiling and publishing live stock and agricultural statistics, the sum of six hundred dollars (\$600) per annum, for the years 1903 and 1904.

For the agricultural library, the sum of two hundred dollars (\$200) per annum, for the years 1903 and 1904.

For office expenses, furniture, repairs, postage, expressage, etc., the sum of twelve hundred dollars (\$1,200) per annum, for the years 1903 and 1904.

§ 2. That, on the order of the president, countersigned by the secretary of the State Board of Agriculture, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant upon the Treasurer in favor of the treasurer of the Illinois State Board of Agriculture for the sums herein appropriated: *Provided*, that each warrant on account of county or other agricultural fairs, shall show the agricultural society for whose benefit the same is drawn, and that no warrant shall be drawn in favor of any agricultural society unless the order aforesaid be accompanied by a certificate of the State Board of Agriculture showing that such agricultural society held an agricultural fair during the preceding year, in compliance with the rules and regulations as provided by said State Board of Agriculture: *Provided, further*, that no warrant shall be drawn in favor of any agricultural society until the president and treasurer of such society file an affidavit with the State Board of Agriculture, that no wheel of fortune or other gambling device was licensed or allowed upon their fair grounds.

§ 3. It shall be the duty of the treasurer of the State Board of Agriculture, on the order of the president, countersigned by the secretary of the State Board of Agriculture, to pay over to the treasurer of each agricultural society the sum received for its use and benefit aforesaid, and make biennial report to the Governor of all such appropriations received and disbursed by him.

APPROVED May 15, 1903.

AGRICULTURE—STATE BOARD—STATE FAIR.

§ 1. Permanent buildings and improvements, \$121,000 for items enumerated.

§ 2. How drawn.

Approved May 16, 1903.

AN ACT making an appropriation for the State Board of Agriculture to be used in the construction of permanent buildings and making improvements, and for beautifying the State fair grounds at Springfield, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred and twenty-one thousand dollars (\$121,000) or so much thereof as may be necessary, out of any money in the State treasury not otherwise appropriated, be, and the same is hereby appropriated to the State Board of Agriculture, for the construction of permanent buildings on, and for the improvement and beautifying of the State fair grounds, at Springfield, Illinois, viz:

For construction of walks and coverings for same, the sum of ten thousand dollars (\$10,000.)

For the extension of the coliseum building, the sum of twenty-five thousand dollars (\$25,000.)

For the extension of machinery hall, the sum of twenty-five thousand dollars (\$25,000.)

For the construction of a dairy building, the sum of twenty-two thousand dollars (\$22,000.)

For painting and repairs, the sum of five thousand dollars (\$5,000.)

For the improvement and beautifying of the grounds, the sum of five thousand dollars (\$5,000.)

For the extension of water mains, pipes and drainage, the sum of four thousand dollars (\$4,000.)

In addition to the sum of \$8,000 now in the hands of the treasurer of the State Board of Agriculture derived from the insurance on the Women's building destroyed by fire, the sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated to pay for the construction, equipment and furnishing of a building on the State fair grounds, at Springfield, Illinois, to be known as the "Women's Building," to be used by the women of the State as a public comfort building subject to the rules and regulations of the State Board of Agriculture.

It is hereby made the duty of the Board of Agriculture to set apart a portion of the State fair grounds, conveniently located, as a site for said building and to take charge of the construction of the same.

§ 2. That, on the order of the president, countersigned by the secretary of the State Board of Agriculture, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant

upon the State Treasurer in favor of the treasurer of the Illinois State Board of Agriculture for the sums herein appropriated: *Provided*, that all of said money shall be paid in installments, from time to time, as the same may be needed to pay for the improvements authorized by this act, and on vouchers to be approved by the Governor.

APPROVED May 16, 1903.

ALTGELD, MRS. JOHN P.—RELIEF OF.

§ 1. Appropriates \$5,000.

§ 2. Emergency.

Approved April 15, 1903.

AN ACT for the relief of Mrs. John P. Altgeld, widow of the late ex-Governor, and to make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand (5,000) dollars be, and the same is hereby, appropriated for the relief of Mrs. John P. Altgeld, widow of the late Ex-Governor John P. Altgeld.

§ 2. WHEREAS, An emergency exists, this act shall be in force from and after its passage.

APPROVED April 15, 1903.

ANIMALS—LIVE STOCK BREEDERS' ASSOCIATION.

Preamble.

§ 1. For printing and distributing reports, etc., per annum, \$500.

§ 3. How drawn.

§ 4. Duty of treasurer of association.

Approved May 15, 1903.

§ 2. Officers to draw no salary for services.

AN ACT making an appropriation for the Illinois Live Stock Breeders' Association.

WHEREAS, The Illinois Live Stock Breeders' Association, representing the farmers interested in the breeding and feeding of cattle, horses, sheep and swine, have rendered the State valuable service in promoting the live stock industry; and,

WHEREAS, The farmers of the State will be greatly benefited by the continuance of the annual meetings of the Illinois Live Stock Breeders' Association and the further consideration of all topics pertaining to the live stock industry; therefore, to sustain the same and to enable this organization to secure as speakers the best talent available for its annual meetings, disseminate useful knowledge, and to otherwise promote the great and growing industry of Illinois:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and hereby

is, appropriated to the Illinois Live Stock Breeders' Association the following sums, to-wit: For printing and distributing reports, programs, postage, stationery, expenses of speakers, etc., the sum of five hundred dollars (\$500) per annum for the years 1903 and 1904.

§ 2. No officer or officers of the Illinois Live Stock Breeders' Association shall be entitled to or receive any money compensation whatever for any service rendered for same.

§ 3. That on order of the president, countersigned by the secretary of the Illinois Live Stock Breeders' Association and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the treasurer of the Illinois Live Stock Breeders' Association for the sum herein appropriated.

§ 4. It shall be the duty of the treasurer of the Illinois Live Stock Breeders' Association to pay out of said appropriation, on itemized and receipted vouchers, such sums as may be authorized by said organization, on the order of the president, countersigned by the secretary, and make annual report to the Governor of all expenditures, as provided by law.

APPROVED May 15, 1903.

BEE KEEPERS' ASSOCIATION.

Preamble.

§ 1. For expenses of annual meetings, per annum. \$1,000; officers to receive no salary.

§ 2. How drawn.

§ 3. Duty of treasurer of association.

Approved May 15, 1903.

AN ACT making an appropriation for the Illinois State Bee Keepers' Association.

WHEREAS, The members of the Illinois State Bee Keepers' Association have for years given much time and labor without compensation in the endeavor to promote the interests of the bee keepers of the State; and,

WHEREAS, The importance of the industry to the farmers and fruit growers of the State warrants the expenditure of a reasonable sum for the holding of annual meetings, the publication of reports and papers containing practical information concerning bee keeping, therefore, to sustain the same and enable this organization to defray the expenses of annual meetings, publishing reports, suppressing foul brood among bees in the State, and promote this industry in Illinois:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the use of the Illinois State Bee Keepers' Association the sum of one thousand dollars (\$1,000) per annum for the years 1903 and 1904, for the purpose of advancing the growth and

developing the interests of the bee keepers of Illinois, said sum to be expended under the direction of the Illinois State Bee Keepers' Association for the purpose of paying the expenses of holding annual meetings, publishing the proceedings of said meetings, suppressing foul brood among bees in Illinois, etc.: *Provided, however*, that no officer or officers of the Illinois State Bee Keepers' Association shall be entitled to receive any money compensation whatever for any services rendered for same.

§ 2. That on the order of the president, countersigned by the secretary of the Illinois State Bee Keepers' Association, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the treasurer of the Illinois State Bee Keepers' Association for the sum herein appropriated.

§ 3. It shall be the duty of the treasurer of the Illinois State Bee Keepers' Association to pay out of said appropriation, on itemized and receipted vouchers, such sums as may be authorized by vote of said organization on the order of the president, countersigned by the secretary, and make annual report to the Governor of all such expenditures, as provided by law.

APPROVED May 15, 1903.

BINDING—DEFICIENCY.

§ 1. Appropriates \$5,000.

§ 2. How drawn.

§ 3. Emergency.

Approved May 6, 1903.

AN ACT to provide for a deficiency in the expenses of public binding for the fiscal year ending June 30, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whereas the sum of \$10,000 per annum appropriated by the Forty-second General Assembly for the purpose of paying for public binding under contract has been insufficient, and that there is now a deficiency for the current year ending June 30, 1903, of \$5,000, therefore the said sum of \$5,000 be and is hereby appropriated to be paid for public binding under contract upon bills of particulars certified to by the Board of Commissioners of State Contracts and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant on the State Treasurer for the same.

§ 3. WHEREAS, An emergency exists, this bill is to take effect from and after its passage.

APPROVED May 6, 1903.

BOARD OF ARBITRATION—DEFICIENCY.

§ 1. For expenses of current fiscal year,
\$3,000.

§ 2. How drawn.

§ 3. Emergency.

Approved May 15, 1903.

AN ACT *making an appropriation to meet a deficiency in the expenses of the State Board of Arbitration.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That there be, and is hereby, appropriated the sum of \$3,000 to defray the expenses of the State Board of Arbitration, already incurred, or to be incurred before the close of the present fiscal year.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants for the amount herein appropriated upon the presentation of certified vouchers, approved by the Governor.

§ 3. WHEREAS, An emergency exists, therefore, this act shall be in force from and after the date of its passage and approval.

APPROVED May 15, 1903.

CACHE RIVER—DREDGING.

Preamble.

§ 1. Appointment of commissioners.

§ 2. Duties of commissioners.

§ 3. Appropriates \$10,000—report of expenditures.

Approved May 16, 1903.

AN ACT *creating a commission consisting of three persons to be appointed by the Governor of the State, whose duty it shall be to employ a competent engineer or engineers to ascertain the cost of straightening and dredging Cache river and make appropriation therefor.*

WHEREAS, A large area of land is overflowed by the waters of Cache river to-wit: 250,000 acres or more, lying along the course of said river, which flows through the counties of Alexander, Pulaski, Massac, Johnson and Union; and,

WHEREAS, This vast area of land is overflowed by the waters of said Cache river and its tributaries six to eight months of the year, thereby causing the land to be worthless, making it impossible to clear and till said land; and,

WHEREAS, The waters of said Cache river during the wet period of the year leave the banks of said river and its tributaries, and cause destruction of roads in the low lands adjacent thereto; and,

WHEREAS, Said back waters stand for the greater part of the summer season in sloughs and ponds and become stagnant and injurious to the heath [health] of the inhabitants of said territory and vicinity; and,

WHEREAS, The dredging and straightening of the channel of said Cache river would confine the waters of said river to its banks and thereby drain and reclaim the large area of lands above described as being overflowed by back waters from said river, making said lands, which are practically worthless, valuable and desirable property, cheapening the cost of maintaining the roads of the counties through which said river flows and immeasurably benefiting the sanitary condition of said territory. The successful accomplishment of the work proposed will add to the wealth and taxable property of Southern Illinois ten million dollars valuation and open a new field for the investment of capital and the development of one of the most fertile sections of our great State.

Therefore, for the purpose of making estimate of the cost of straightening and dredging said Cache river,

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That it shall be the duty of the Governor by and with the advice and consent of the Senate to appoint three persons, residents of this State, who shall constitute a Board of Cache River Drainage Commissioners, who shall hold their offices for a term of two years and who shall receive a salary of \$500 per annum.

§ 2. It shall be the duty of said commissioners so appointed, to secure a sufficient corps of competent engineers to survey said river and make a plat of same together with the territory affected and ascertain and make an estimate of the cost of straightening and dredging said river so as to confine its waters within its banks at all seasons of the year and thereby reclaim said territory for agricultural and sanitary purposes.

§ 3. That, to carry out the provisions of this act, there be and is hereby appropriated the sum of \$10,000 which shall be used by said commissioners who shall have authority to draw upon the State Treasurer from any appropriation made, in pursuance of the purposes of this bill, as the same may be required to defray expenses incurred, and who shall report to the Governor of the State all and singular, the items of such expenditures, together with the business transacted under their commission, such report to be made on or before the commencement of each fiscal year.

APPROVED May 16, 1903.

CHARITABLE-BLIND-INDUSTRIAL HOME, ORDINARY.

§ 1. Salaries and ordinary expenses, year beginning July 1, 1903, \$30,000.	§ 3. How drawn.
§ 2. Same for year beginning July 1, 1904, \$30,000.	Approved May 15, 1903.

AN ACT making an appropriation for the Illinois Industrial Home for the Blind, Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the purpose of defraying the ordinary expenses of the Illinois Industrial Home for the Blind for the year beginning July 1, 1903, the sum of \$30,000, apportioned as follows:

Superintendent	\$ 1,500
Salaries and wages of all other employés.....	5,500
All other ordinary expenses.....	23,000

Total	\$30,000
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§ 2. For the purpose of defraying the ordinary expenses of the Illinois Industrial Home for the Blind, for the year beginning July 1, 1904, the sum of \$30,000 is appropriated, as follows:

Superintendent	\$ 1,500
Salaries and wages of all other employés	5,500
All other ordinary expenses.....	23,000

Total.....	\$30,000
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§ 3. The moneys herein appropriated shall be due and payable to the trustees of said institution or to their order only on the terms and in the manner provided in the 19th section of an act entitled "An act to regulate the State Charitable Institutions and the State Reform School, and to improve their organization and increase their efficiency."

APPROVED May 15, 1903.

CHARITABLE-BLIND-INDUSTRIAL HOME, SPECIAL.

§ 1. For purposes enumerated, biennial, \$59,150.	§ 2. How drawn.
	Approved May 16, 1903.

AN ACT making an appropriation for the Illinois Industrial Home for the Blind, Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and are hereby, appropriated to the Illinois Industrial Home for the Blind, Chicago, for the purposes herein stated for the two years beginning July 1, 1903, the sum of \$59,150, apportioned as follows:

Repairs and improvements, \$3,750 per annum.....	\$ 7,500
Medical services, \$300 per annum.....	600
Working capital in factory, \$12,500 per annum.....	25,000
Improvement of grounds.....	2,000
Finishing 4th story of building.....	6,500
Furnishing 4th story of dormitories.....	2,500
Office safe.....	300
Piano.....	300
Refrigerator and ice house.....	650
Deficit.....	18,800

Total \$59,150

§ 2. The moneys herein appropriated shall be due and payable to the trustees of said institution or their order, only on the terms and in the manner provided in section 20 of an act entitled, "An act to regulate the State Charitable Institutions and the State Reform School and to improve their organization and increase their efficiency"

APPROVED May 16, 1903.

CHARITABLE INSTITUTIONS—OMNIBUS BILL.

§ 1. Appropriates sums named to State charitable institutions for purposes enumerated.	§ 2. How drawn. Approved May 16, 1903.
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AN ACT making appropriations for the State Charitable Institutions herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and are hereby, appropriated to the State institutions named in this act, for the purposes herein stated, for the two years beginning July 1, 1903, the sum of \$1,266,608.50, and that appropriation shall be apportioned between the institutions and shall be payable as herein stated, as follows:

TO THE NORTHERN HOSPITAL FOR THE INSANE, ELGIN.

Repairs and improvements, \$10,000 per annum.....	\$20,000
Painting, per annum, \$2,000.....	4,000
Maintenance of steam plant, \$2,000 per annum.....	4,000
Care and improvement of grounds, \$1,500 per annum.....	3,000
Maintenance of library, \$500 per annum.....	1,000
Furniture.....	4,000
Live stock.....	1,000
Farm buildings and implements.....	2,000
Fencing.....	500
Three fire escapes.....	2,500
*Cold storage and ice plant.....	20,000
New roof on main building.....	10,000
Machinery for workshop.....	700

Machinery for laundry	700
Elevator for kitchen	1,200
Feed water heater	1,500
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[Total]	\$76,000

TO THE EASTERN HOSPITAL FOR THE INSANE, KANKAKEE.

Repairs and improvements, \$25,000 per annum	\$50,000
Improvement and care of garden, \$2,000 per annum	4,000
Improvement of grounds, \$2,000 per annum	4,000
*Cement walks and curbing, \$2,500 per annum	5,000
Farm implements and live stock, \$2,000 per annum	4,000
*Repairing slate roofs, \$1,000 per annum	2,000
*Iron beds, to replace old beds	5,000
Material and tools for workshop, \$2,000 per annum	4,000
New furniture, \$6,000 per annum	12,000
*Pathological laboratory, \$2,000 per annum	4,000
Library, \$1,000 per annum	2,000
Painting, \$4,000 per annum	8,000
Maintenance of fire department, \$1,000 per annum	2,000
*Resetting windows	5,000
New farm building	30,000
*Telephone system	3,000
Pipe coverings	3,500
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Total	\$137,500

TO THE CENTRAL HOSPITAL FOR THE INSANE, JACKSONVILLE.

Repairs and improvements, \$10,000 per annum	\$20,000 00
Cement walks, \$1,500 per annum	3,000 00
Stand pipe and hose tower	4,200 00
Ice plant	6,500 00
Iron stairways for protection and necessary connections ..	10,000 00
Improvement of grounds, \$2,000 per annum	4,000 00
Plumbing	7,000 00
Library, \$500 per annum	1,000 00
Painting, \$5,000 per annum	10,000 00
Live stock	2,000 00
Farm implements	500 00
Fencing, \$500 per annum	1,000 00
Paving street	5,268 50
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Total	\$74,468 50

TO THE WESTERN HOSPITAL FOR THE INSANE, WATERTOWN.

Repairs and improvements, \$3,000 per annum	6,000
Library, \$250 per annum	500
Improvement of grounds, \$2,500 per annum	5,000

Enlarging kitchen, bath room and dining rooms.....	10,000
New boiler.....	4,500
New engine and dynamo.....	3,500
Draining farm	2,500
Farm implements and live stock	1,000
Carpenter shop and patients' workshop	5,000
Water supply and standpipe.....	\$ 4,000
New building complete, including plumbing, heating, and furnishing	125,000
Total	\$167,000

TO THE SOUTHERN HOSPITAL FOR THE INSANE, ANNA.

Repairs and improvements, \$10,000 per annum.....	\$20,000
Improvement of grounds, \$2,000 per annum.....	4,000
Library, \$300 per annum.....	600
Farm implements and live stock, \$1,250 per annum.....	2,500
Pumping station and machinery for new well.....	3,500
Four fire escapes	3,200
Cement walks	3,000
Enlarging kitchen	2,500
New barn	5,000
Total	\$44,300

TO THE ASYLUM FOR THE INCURABLE INSANE, BARTONVILLE.

Repairs and improvements, \$5,000 per annum	\$10,000
Improvement of grounds, \$5,000 per annum.....	10,000
For building and furnishing additional cottages, including dining rooms.....	300,000
For sewers and connections for new buildings.....	2,000
New boiler.....	4,500
New dynamo.....	3,000
*Water system.....	15,000
Total	\$344,500

TO THE ASYLUM FOR INSANE CRIMINALS, CHESTER.

Repairs and improvements, \$2,000 per annum	\$4,000
Library, \$100 per annum.....	200
Total	\$4,200

TO THE INSTITUTION FOR THE EDUCATION OF THE DEAF AND
DUMB, JACKSONVILLE.

Repairs and improvements, \$8,000 per annum	\$16,000
Library, \$500 per annum.....	1,000
Water supply	5,000
Plumbing and heating	7,000

School library and studio (additional appropriation)	25,000
To extend trade teaching	2,000
To purchase two new boilers and one new dynamo, reset old boiler and reconstruct and rebuild boiler house	20,000
[Total]	\$76,000

TO THE INSTITUTION FOR THE EDUCATION OF THE BLIND,
JACKSONVILLE.

Repairs and improvements, for the first year, \$7,500; for the second year, \$3,500	\$11,000
Material for printing department, \$500 per annum	1,000
Carriage, barn and paint shop	3,000
Library and apparatus, \$400 per annum	800
[Total]	\$15,800

TO THE ASYLUM FOR FEEBLE-MINDED CHILDREN, LINCOLN.

Repairs and improvements, \$15,000 per annum	\$30,000
Improvement of grounds, \$2,000 per annum	4,000
For library and school books, \$500 per annum	1,000
For paving roads along State grounds	9,000
For constructing four new boilers and smokestack	13,000
Total	\$57,000

TO THE SOLDIERS' AND SAILORS' HOME, QUINCY.

For repairs and improvements, \$10,000 per annum	\$20,000
Improvement of grounds, \$1,000 per annum	2,000
Library, \$600 per annum	1,200
Reconstructing steam heating plant	4,000
Plumbing in cottages	8,000
Water mains and fire plugs	2,500
Improvement of cemetery	1,000
Overcoats for inmates	10,000
Total ,	\$48,700

TO THE SOLDIERS' ORPHANS' HOME, NORMAL.

Repairs and improvements, for first year, \$7,000; for second year, \$4,000	\$11,000
Library, \$300 per annum	600
Well and pump	500

Completing and equipping hospital.....	\$ 2,000
For piano for kindergarten school	300
Five cottages and furnishings.....	25,000
Total	<u>\$39,400</u>

TO THE SOLDIERS' WIDOWS' HOME, WILMINGTON.

Repairs and improvements, \$500 per annum.....	\$1,000
Improvement of grounds, \$100 per annum.....	200
Concrete walks.....	540
Brick barn.....	1,500
New power house.....	3,000
Total	<u>\$6,240</u>

TO THE CHARITABLE EYE AND EAR INFIRMARY, CHICAGO.

Repairs and improvements, \$2,500 per annum	\$ 5,000
Library and amusements, \$150 per annum.....	300
*For the purchase of ground and the construction of build- ings for the care of infectious and contagious diseases..	75,000
Total	<u>\$80,300</u>

STATE TRAINING SCHOOL FOR GIRLS, GENEVA.

Repairs and improvements, \$3,000 per annum	\$ 6,000
Improvement of grounds, \$500 per annum	1,000
Parole and discharging girls, \$500 per annum.....	1,000
Library, \$100 per annum.....	200
Farm implements, live stock and vehicles, \$250 per annum..	500
Two new cottages.....	36,000
Furniture for two new cottages.....	3,000
New boiler,	3,500
Extension to boiler house	1,500
Smoke stack	3,500
Ice house.....	1,000
Deficiency in 1901 ordinary for second year.....	8,000
*New chapel	20,000
Total	<u>\$85,200</u>

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the several institutions herein named, or their order, only on the terms and in the manner now provided by law.

APPROVED May 16, 1903.

*I hereby certify that the foregoing act, as printed above, is a correct copy of Senate Bill No. 26, as enrolled and submitted to the Governor for his approval. The items marked with a star, to-wit: "Cold storage and ice plant, \$20,000," Northern Hospital for Insane; "cement walks and curbing, \$2,500 per annum—\$5,000," "repairing slate roofs, per annum, \$1,000—\$2,000," "iron beds to replace old beds, \$5,000," "pathological laboratory, \$2,000 per annum, \$4,000," resetting windows, \$5,000," "telephone system, \$3,000," Eastern Hospital for Insane; "water system, \$15,000," Asylum Incurable Insane; "for the purchase of grounds and the construction of buildings for the care of infectious and contagious diseases, \$75,000," Charitable Eye and Ear Infirmary; "new chapel, \$20,000," State Training School for Girls, were vetoed by the Governor, by which action the total appropriation for The Northern Hospital for the Insane is reduced from \$76,000, as printed above, to \$56,000; The Eastern Hospital for the Insane, from \$147,500, as printed above, to \$123,500; The Asylum for the Incurable Insane, from \$344,500, as printed above, to \$329,500; The Charitable Eye and Ear Infirmary, from \$80,300, as printed above, to \$5,300; The State Training School for Girls, from \$85,200, as printed above, to \$65,200, and the total appropriations for all the institutions named in the act is reduced from \$1,266,608.50, as printed above, to \$1,112,608.50.

JAMES A. ROSE,

Secretary of State.

CHARITABLE INSTITUTIONS—ORDINARY EXPENSES.

§ 1. Appropriates \$1,698,650 for year beginning July 1, 1903.

§ 3. How drawn.

Approved May 15, 1903.

§ 2. Appropriates \$1,968,650 for year beginning July 1, 1904.

AN ACT making an appropriation for the ordinary and other expenses of the State Charitable Institutions herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the purpose of defraying the ordinary expenses of the State institutions named in this act, for the year beginning July 1, 1903, the sum of \$1,698,650, payable quarterly in advance, and the said appropriations shall be apportioned between the said institutions as follows: To the

Northern Hospital for the Insane at Elgin.....	\$185,000
Eastern Hospital for the Insane at Kankakee.....	372,000
Central Hospital for the Insane at Jacksonville.....	185,000
Western Hospital for the Insane at Watertown.....	101,500
Southern Hospital for the Insane at Anna.....	115,000
Asylum for the Incurable Insane at Bartonville.....	90,000
Asylum for Insane Criminals at Chester.....	35,000
Institution for the Education of the Deaf and Dumb at Jacksonville.....	110,000
Institution for the Education of the Blind at Jacksonville	55,000
Asylum for Feeble-Minded Children at Lincoln.....	107,000
Soldiers' and Sailors' Home at Quincy	187,500
Soldiers' Orphans' Home at Normal	62,500
Soldiers' Widows' Home at Wilmington.....	18,000
Charitable Eye and Ear Infirmary at Chicago	40,150
State Training School for Girls at Geneva.....	35,000
Total	\$1,698,650

§ 2. For the purpose of defraying the ordinary expenses of the said State institutions for the year beginning July 1, 1904, the sum

of \$1,968,650 is appropriated, payable quarterly in advance, and the said appropriation shall be apportioned between the said institutions as follows, and at the same rate thereafter until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, as follows: To the

Northern Hospital for the Insane at Elgin	\$185,000
Eastern Hospital for the Insane at Kankakee.....	372,000
Central Hospital for the Insane, Jacksonville	185,000
Western Hospital for the Insane, Watertown.....	151,500
Southern Hospital for the Insane at Anna.....	160,000
Asylum for Incurable Insane at Bartonville	180,000
Asylum for Insane Criminals, Chester.....	35,000
Institution for the Education of the Deaf and Dumb at Jacksonville	110,000
Institution for the Blind at Jacksonville	55,000
Asylum for Feeble-Minded Children at Lincoln.....	182,000
Soldiers and Sailors' Home at Quincy.....	187,500
Soldiers' Orphans' Home at Normal	62,500
Soldiers' Widows' Home at Wilmington.....	18,000
Charitable Eye and Ear Infirmary at Chicago	40,150
State Training School for Girls at Geneva.....	45,000

Total \$1,968,650

§ 3. All moneys herein appropriated shall be due and payable to the trustees of the several institutions named, or to their order, only on the terms and in the manner provided in the nineteenth section of an act entitled, "An act to regulate the State charitable institutions and the State Reform School, and to improve their organization and increase their efficiency."

APPROVED May 14, 1903.

CHARITABLE—ST. CHARLES HOME FOR BOYS.

§ 1. Appropriates \$350,000, ordinary and special expenses—how drawn.
Approved May 15, 1903.

AN ACT making appropriation for St. Charles Home for Boys.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sum of money be, and is hereby, appropriated to the St. Charles Home for Boys, St. Charles, Kane county, Illinois, to-wit: The sum of three hundred and fifty thousand dollars for the purposes hereinafter named:

For buildings and equipment.....	\$300,000
For ordinary expenses for the year ending June 30, 1904..	25,000
For ordinary expenses for the year ending June 30, 1905..	25,000

The money herein appropriated for ordinary expenses shall be due and payable to the trustees of said institution only on the terms and in the manner provided in the nineteenth section of an act entitled "An act to regulate the State Charitable Institutions and the Reform School and to improve their organization and increase their efficiency."

The moneys herein appropriated for buildings and equipment shall be due and payable to the trustees of said institution or their order only on the terms and in the manner now provided by law.

APPROVED May 15, 1903.

COMMISSIONS OF CLAIMS--DAMAGES ALLOWED BY.

§ 1. Witte, Henry R., \$3,000; Chicago Ball Club, \$2,000; Hatfield, Charles, \$1,000.	§ 2. How drawn. Approved May 15, 1903.
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AN ACT to make appropriations for the payment of amounts awarded by the Commission of Claims to certain persons named therein.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to Harry R. Witte, administrator of Edward R. Witte, deceased, the sum of three thousand [dollars] (\$3,000) for damages for the death of said Edward R. Witte, late a member of the Illinois National Guard, accidentally shot on rifle range, awarded by the Commission of Claims September 10, 1902; to the Chicago League Ball Club the sum of two thousand [dollars] (\$2,000) for damages to grounds caused by occupancy of said grounds by members of the Illinois National Guard during the strike of 1894, award made by the Commission of Claims January 21, 1903; to Charles Hatfield, the sum of one thousand dollars (\$1,000) for injuries received on the 31st day of August, 1889, while a member of Troop "B," 1st Cavalry, Illinois National Guard, while in the line of duty at Camp Lincoln, Springfield, Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the State Treasurer in favor of said persons, respectively, for the amounts herein appropriated.

APPROVED May 15, 1903.

DAIRYMENS' ASSOCIATION.

§ 1. For publishing and distributing report,
per annum, \$1,500.

§ 2. How drawn.

Approved May 15, 1903.

AN ACT making an appropriation for the Illinois Dairymen's Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand five hundred dollars (\$1,500) per annum for the years 1903 and 1904 be, and the same is hereby, appropriated to aid the Illinois Dairymen's Association in compiling, publishing and distributing its report, and other necessary expenses.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the sum in this act specified, on bills of particulars certified to by the officials of said association, to the order of the president of said association, and the State Treasurer shall pay the same out of any funds in the treasury not otherwise appropriated.

APPROVED May 15, 1903.

EXPOSITION, LOUISIANA PURCHASE—RE-APPROPRIATION OF FUNDS.

Preamble.

§ 1. Re-appropriates unexpended balance of \$250,000—how drawn. Approved May 15, 1903.

AN ACT entitled "*An act to provide for the re-appropriation of the unexpended balance of funds appropriated in an act entitled 'An act to provide for the participation of the State of Illinois in the Louisiana Purchase Exposition, to be held in the city of St. Louis during the year 1903, in commemoration of the purchase of the Louisiana territory by the United States from the government of France in the year 1803, and for an appropriation to pay the costs and expenses of the same,' approved May 9, 1901, in force July 1, 1901.*"

WHEREAS, The Louisiana Purchase Exposition has, by the directors and managers of the same, been postponed from the year 1903 to the year 1904; and,

WHEREAS, The sum appropriated by the act of the Legislature, approved May 9, 1901, to enable the State of Illinois to participate in said exposition, will, in whole or in part, lapse into the treasury of the State of Illinois under the laws of this State on September 30, 1903; and,

WHEREAS, It is desirable that any unexpended balance of the \$250,000 appropriated by said act shall be available for the participation of the State of Illinois in said exposition in the year 1904, or at any later date to which said exposition may be postponed by the directors or managers thereof; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, for the purpose of carrying out the provisions of an act entitled "An act to provide for the participation of the State of Illinois in the Louisiana Purchase Exposition, to be held in the city of St. Louis during the year 1903 in commemoration of the purchase of the Louisiana territory by the United States from the government of France in the year 1803, and for an appropriation to pay the costs and expenses of the same," approved May 9, 1901, in force July 1, 1901, so much of the said sum of \$250,000 heretofore appropriated for the purposes aforesaid, as shall not be expended on the 30th day of September, 1903, is hereby re-appropriated from the State treasury of Illinois for the purpose of carrying out the provisions of the said act, approved May 9, 1901, to be expended in accordance with the provisions of said act.

APPROVED May 15, 1903.

FARMERS' INSTITUTES—STATE AND COUNTY.

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|---|---|
| § 1. Enacting clause. | § 6. County institutes, each per annum, \$75. |
| § 2. Clerk hire, etc., per annum, \$1,000. | § 7. Officers of county institute to serve without pay. |
| § 3. Office expenses, etc., per annum, \$1,500. | § 8. How drawn. |
| § 4. Books for libraries, per annum, \$2,500. | § 9. Duty of treasurer of State Institute. |
| § 5. Expenses of members, per annum, \$5,000. | Approved May 15, 1903. |

AN ACT making an appropriation for the Illinois Farmers' Institute and County Farmers' Institutes.

WHEREAS, To assist and encourage practical education among farmers, and for developing the agricultural resources of the State, the Thirty-ninth General Assembly created an organization under the name and style of the Illinois Farmers' Institute, and intrusted to it the development of greater skill in the cultivation of crops, in the breeding and care of domestic animals, in dairy husbandry, in horticulture, in farm drainage, in improvement of highways and general farm management, through and by means of liberal discussions of these and kindred subjects, and practical instruction for improving the conditions of the farmer by affording a better knowledge of successful agriculture; therefore to sustain the same,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to the Illinois Farmers' Institute the following sums, to-wit:

§ 2. For clerk hire, typewriter, etc., the sum of one thousand dollars (\$1,000) per annum for the fiscal years beginning July 1, 1903 and 1904.

§ 3. For expressage, postage, office expenses, furniture, etc., the sum of one thousand five hundred dollars (\$1,500) per annum for the fiscal years beginning July 1, 1903 and 1904.

§ 4. For the purchase of books for, and the maintenance and management of the Illinois Farmers' Institute free libraries, the sum of two thousand five hundred dollars (\$2,500) per annum for the fiscal years beginning July 1, 1903 and 1904.

§ 5. For the actual expenses of the members of the board of directors and the officers of the Illinois Farmers' Institute in the performance of their duties as said members and officers, for the expenses of the State Institute meeting, for the employment of specially qualified institute instructors, and for the incidental expenses in promoting the development of the Farmers' Institute work throughout the State, the sum of five thousand dollars (\$5,000) per annum for the fiscal years beginning July 1, 1903 and 1904.

§ 6. For the use of each county farmers' institute for the purpose of holding one or more farmers' institute meetings in each county in the State under the full direction of the county farmers' institute officers of each county, the sum of seventy-five dollars (\$75) per annum for the fiscal years beginning July 1, 1903 and 1904, to be paid to the treasurer of each county farmers' institute, when such institute shall file with the Secretary of the Illinois Farmers' Institute, a sworn statement which shall show that said county farmers' institute has held one or more duly advertised public sessions annually, of not less than two days each, at some easily accessible location; which shall include an itemized statement of the expenses of said meeting, with receipted vouchers therefor, a copy of its printed program, and a report of proceedings showing the title and author of the papers read and by whom discussed, place or places of meeting, with average daily attendance, and such other information as may be called for by the Illinois Farmers' Institute and necessary to successfully assist this work.

§ 7. No officer nor officers of any county farmers' institute shall be entitled to receive any moneyed compensation whatever for any service rendered the same.

§ 8. That on the order of the president, countersigned by the secretary of the Illinois Farmers' Institute, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the treasurer of the Illinois Farmers' Institute, for the sum herein appropriated: *Provided*, that each warrant on account of a county farmers' institute shall show the county institute for whose benefit the same is drawn: *Provided, further*, that the program and report of proceedings of the county farmers' institute, for which each warrant is drawn, shall show that some of the following topics have been presented and discussed, viz.: Grain farming, stock feeding and breeding, dairy husbandry, orchard and small fruit culture, farmer's garden, domestic science and any subjects pertaining to farm life: *Provided, further*,

that if the necessary expense of a county farmers' institute shall not equal the sum of seventy-five dollars (\$75) as aforesaid, then said warrant shall only be drawn for the sum expended.

§ 9. It shall be the duty of the treasurer of the Illinois Farmers' Institute to pay over to the treasurer of each county farmers' institute the said sum of seventy-five dollars (\$75), or so much thereof as may be received for its use and benefit, as aforesaid, and make annual report to the Governor, as provided by law.

APPROVED May 15, 1903.

FIREMENS' ASSOCIATION—AID AND MAINTENANCE.

Preamble.

§ 1. Postage, stationery and general expenses, per annum, \$500.

§ 2. No part of appropriation available for salaries.

§ 3. Annual statement to Governor.

§ 4. How drawn.

Approved May 15, 1903.

AN ACT to make an appropriation for the benefit, aid and maintenance of the Illinois Firemen's Association.

WHEREAS, The Illinois Firemen's Association is an organization representing the firemen, and especially the volunteer firemen of the State, and is organized under the laws of this State; and,

WHEREAS, The aims of the Illinois Firemen's Association are the education of firemen in the fire service, and the betterment of the service in the several towns and cities in the State, for which purpose annual meetings are held for the discussion of topics of the subject, and the hearing of suggestions that are of great value to the membership (made up of the fire departments of the State of Illinois); therefore, to help sustain this organization in the holding of its annual meetings and the printing of its reports, and to otherwise promote the usefulness of this meritorious organization, the fire-fighters, who voluntarily give their service in the protection of lives and homes.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That there be, and is hereby, appropriated to the Illinois Firemen's Association the following sums, to-wit: For the printing and distribution of its programs, postage, stationery, expenses of the annual meeting, the dissemination of information pertaining to the business of the association, the sum of five hundred dollars (\$500) per annum.

§ 2. No part of the said five hundred dollars (\$500) shall be paid as salary to any officer of the Illinois Firemen's Association.

§ 3. The secretary and treasurer of the said association shall make an annual statement to the Governor on or before January 1, of each and every year of the disposition of the said appropriation.

§ 4. The State Auditor is hereby authorized to draw his warrant for the sum herein specified, and deliver the same to the president and treasurer of the Illinois Firemen's Association, upon their presenting proper voucher for the same, signed by the president and secretary of said association, and the State Treasurer shall pay out of any money in the State Treasury not otherwise appropriated.

APPROVED May 15, 1903.

FORT MASSAC—PURCHASE OF SITE.

§ 1. Fort Massac trustees—appointment—may purchase site of old Ft. Massac—cost limited to \$3,500.

§ 2. Powers and duties of board.

§ 3. Further powers and duties of board enumerated.

§ 4. Appropriates \$10,000—how drawn.

§ 5. Reports of board to each General Assembly.

Approved May 15, 1903.

AN ACT appropriating money to purchase and perpetuate the historic Fort Massac as a State park.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the Governor, Secretary of State and Auditor of the State of Illinois, and the State regent of Illinois of the Daughters of the American Revolution, and two Illinois daughters appointed by the State regent, all to serve without remuneration, and their successors in office, shall constitute a board of trustees, and by the name and style of the Fort Massac trustees, shall have power to receive a conveyance from the Hon. Reed Green, or other owner or owners thereof, of the property, not less than ten (10) nor more than forty (40) acres in extent, extending from the northwestern edge of the Ohio river, at low water mark, in the county of Massac and State of Illinois, lying as near square in form as possible, containing the site of Old Fort Massac, but at a price not to exceed the sum of three thousand five hundred dollars (\$3,500), and to hold the same in perpetuity, but in trust for the State of Illinois; to execute in said name and style and deliver to the said Reed Green, or other owner or owners, as may be determined by investigation, a contract covenanting with the said Reed Green and his heirs and others aforesaid, if any, and their heirs, that said Old Fort Massac shall be forever kept in good repair and free of access to the public, under such regulations as they may deem wise for the proper preservation of the property aforesaid.

§ 2. Said board shall have full authority over and control of said property; shall have power to contract with reference to the proper care and custody thereof, and all such articles of antiquity and curiosity as may there be collected, and with reference to restoration and repair of said Old Fort Massac, and proper care of said property; to the employment of a suitable person to care for the same and to ex-

hibit it to the public; and in said name and style may sue in reference to any matters pertaining to the powers and trusts hereby created.

§ 3. It shall be the duty of said trustees to use the moneys that may from time to time be appropriated by the General Assembly, so far as can be done with such moneys, to keep said premises in good repair; to keep the same open and free of access to the public at all seasonable hours; to authorize the erection on said premises by the Illinois organizations of the Daughters of the American Revolution and their associates in the nation at large, a monument commemorative of the history of Old Fort Massac and of their connection with the restoration and care of the same; and to authorize the inscription upon said monument of such reasonable and proper inscription as will fully set forth the facts referred to herein.

§ 4. There is hereby appropriated the sum of ten thousand dollars (\$10,000), or so much thereof as may be necessary, to defray the expenses of purchasing said premises, and employing a custodian and carrying out the purposes of this act, for the period of two years after the approval of this act, and to be paid out of any moneys of the Treasury of the State, not otherwise appropriated, on warrants of the Auditor upon the Treasurer, approved by the Governor, on the direction of a majority of said board, from time to time, as the same may be required for the purposes of this act.

§ 5. Said board shall report to each General Assembly before the twentieth (20th) day of each regular session, a detailed account of all their transactions and of all expenditures made by them, and also such recommendations as they may deem proper for the consideration of the General Assembly.

APPROVED May 15, 1903.

GENERAL ASSEMBLY, 43D—EMPLOYES.

§ 1. Appropriates \$100,000.

§ 2. Emergency.

Approved January 27, 1903.

AN ACT making appropriations for the payment of the employes of the Forty-third General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That there be, and is hereby, appropriated the sum of \$100,000, or so much thereof as may be necessary, to pay the employes of the Forty-third General Assembly at the rate of compensation allowed by law; said employes to be paid upon rolls certified to by the presiding officers of the respective houses, or by the Secretary of State, approved by the Governor, as provided by law.

§ 2. WHEREAS, The above appropriation is necessary for the transaction of the business of the State, therefore, an emergency exists, and this act shall take effect from and after its passage.

APPROVED January 27, 1903.

GENERAL ASSEMBLY, 43D—INCIDENTALS.

§ 1. Appropriates \$20,000 for incidental expenses of the 43d General Assembly and to Secretary of State.

§ 3. Emergency.

Approved January 27, 1903.

§ 2. How drawn.

AN ACT to provide for the incidental expenses of the Forty-third General Assembly of the State of Illinois, and for the care and custody of the State House and grounds, to be incurred and now unprovided for.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$20,000, or so much thereof as may be required, is hereby appropriated to pay the incidental expenses of the Forty-third General Assembly, or either branch thereof, or to be expended by the Secretary of State in the discharge of the duties imposed upon him by law, or by the direction of the General Assembly, or either branch thereof. All expenditures to be certified to by the Secretary of State and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the State Treasury not otherwise appropriated.

§ 3. WHEREAS, The appropriation above recited is necessary for the expenses incurred in the transaction of the business of the State and the Forty-third General Assembly, therefore, an emergency exists, and this act shall take effect from and after its passage.

APPROVED January 27, 1903.

GENERAL ASSEMBLY, 44TH, AND STATE OFFICERS.

§ 1. For 44th G. A. and salaries of State officers, \$1,000,000. Approved May 15, 1903.

AN ACT making an appropriation for the payment of the officers and members of the next General Assembly, and for salaries of the officers of the State government.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of one million dollars (\$1,000,000), or such sum as may be necessary, to pay the officers and members of the next General Assembly, and the salaries of the officers of the State government, at such rates of compensation as are now or hereafter may be fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the next General Assembly.

APPROVED May 15, 1903.

ILLINOIS AND MICHIGAN CANAL.

- § 1. Maintenance of canal in navigable condition, per annum, \$50,000.
- § 2. Bridgeport pumping plant, \$42,950.
- § 3. Dredging, \$10,000.

- § 4. How drawn.
 - § 5. Accounts kept and report required.
- Approved May 15, 1903.

AN ACT making an appropriation for the maintenance and protection of the Illinois and Michigan canal, and for the necessary and extraordinary expenses thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of providing means for maintaining the Illinois and Michigan canal in a navigable condition, there is hereby appropriated the sum of fifty thousand dollars per annum, to be paid to the treasurer of the Canal Commissioners, upon his receipting therefor.

§ 2. For the maintenance and operation of the Bridgeport pumping plant, there is hereby appropriated the sum of forty-two thousand and nine hundred and fifty dollars.

§ 3. For the purpose of dredging the steamboat channel and basin at LaSalle, there is hereby appropriated the sum of ten thousand dollars.

§ 4. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant in favor of the Canal Commissioners for the said sums hereinabove appropriated upon the filing with said Auditor, certificate from said Canal Commissioners, showing that the respective amounts are needed for the purpose for which such appropriations are respectively made in the progress of the work.

§ 5. Said Board of Canal Commissioners shall keep an accurate account of the amount of each of said appropriations received by them, together with their disbursements and expenditures thereof, showing for what and how said sums were respectively expended; which said report shall accompany their annual report to the Governor, and be made a part thereof.

APPROVED May 15, 1903.

LIVE STOCK COMMISSIONERS.

- § 1. For deficiency, \$4,500.
- § 2. How drawn.

- § 3. Emergency.
- Approved May 15, 1903.

AN ACT making an appropriation to provide for a deficiency in the ordinary and contingent expenses of the State Board of Live Stock Commissioners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of four thousand, five hundred dollars (\$4,500,) or so much thereof as may

be needed, be, and is hereby, appropriated to meet a deficiency in the ordinary and contingent expenses of the State Board of Live Stock Commissioners, to-wit:

Deficiency in the appropriation for paying damages for animals diseased or exposed to contagion, slaughtered; for per diem and traveling expenses of assistant State veterinarians and agents, and the expenses of the board and its officers incurred in making examinations of the same, or in making examinations of any animals supposed to be diseased, including any additional clerical help rendered necessary in the office of said board; for property necessarily destroyed or disinfection of premises when such disinfection is practicable under any law of this State for the suppression and prevention of contagious and infectious diseases among domestic animals, the sum of..... \$3,500

Deficiency in the appropriation for paying the traveling and incidental expenses of the commissioners and secretary.. 1,000

Total..... \$4,500

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants for the above amounts upon the State Treasurer, upon vouchers certified by the Board of Live Stock Commissioners, and approved by the Governor.

§ 3. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 15, 1903.

MONUMENTS—BICKERDYKE, MARY A.

Preamble.

§ 1. Appropriates \$5,000.

§ 2. How drawn.

Approved May 15, 1903.

AN ACT making an appropriation of five thousand (5,000) dollars for the erection of a suitable memorial to the memory of Mary A. Bickerdyke.

WHEREAS, Mary A. Bickerdyke was, during the Civil War, a nurse, going to the front from the State of Illinois; and,

WHEREAS, At her request she lies buried in this State; and,

WHEREAS, Because of her loving care of the soldiers when they were sick or wounded or exhausted on the march, she was called by them "Mother Bickerdyke;" and,

WHEREAS, A "Mother Bickerdyke Memorial Association" has been incorporated under the laws of this State for the purpose of erecting a suitable memorial to the memory of this friend of the soldier; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the sum of five thousand*

dollars (\$5,000) be, and is hereby, appropriated out of any money in the State Treasury not otherwise appropriated, for the erection of a suitable memorial to the memory of Mary A. Bickerdyke.

§ 2. The "Mother Bickerdyke Memorial Association," a corporation organized and existing under the laws of the State of Illinois, shall have charge and direction of the erection of such memorial, and the Auditor of Public Accounts is hereby authorized to draw his warrants upon the State Treasurer for the aforesaid sum of five thousand dollars (\$5,000,) upon the order of said corporation, signed by [by] and attested by its secretary, and said order approved by the Governor.

APPROVED May 15, 1903.

MONUMENTS—SHILOH BATTLEFIELD.

Preamble.

§ 1. For dedication exercises, \$5,000.

§ 2. For compiling and publishing report,
\$1,000.

§ 3. Emergency.

Approved May 14, 1903.

AN ACT *to provide for the dedication of the monuments erected by the State of Illinois on the Battlefield of Shiloh.*

WHEREAS, The State of Illinois has heretofore appropriated the sum of sixty-five thousand dollars to be expended in the erection of suitable monuments on the Battlefield of Shiloh; and,

WHEREAS, These monuments and the work connected therewith is nearing completion; and,

WHEREAS, No provision has been made in the acts heretofore passed for the dedication of said monuments; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Illinois Shiloh Battlefield Commission is hereby authorized to expend from the unexpended balance of the sixty-five thousand dollars heretofore appropriated, such sum or sums as may be necessary for the purpose of dedicating the said monuments: *Provided*, such sum or sums shall not exceed five thousand dollars of said unexpended balance.

§ 2. For the purpose of compiling and publishing a report of the commission, the sum of one thousand dollars, or so much as may be necessary, is hereby authorized to be expended out of such unexpended balance heretofore appropriated.

§ 3. WHEREAS, Said commission will be ready to dedicate said monuments prior to July 1, 1903, therefore, an emergency exists, and this act shall be in force and take effect from and after its passage.

APPROVED May 14, 1903.

MONUMENTS—VICKSBURG BATTLE GROUND.

§ 1. Purpose of appropriation recited.

§ 2. Commissioners — appointment — compensation.

§ 3. Powers and duties of commission.

§ 4. Appropriates \$150,000.

§ 5. How drawn.

Approved May 14, 1903.

AN ACT to provide for the erection of monuments and markers to commemorate the services and mark the positions of Illinois Volunteers in the campaign and siege of Vicksburg, Mississippi, and making appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, for the purpose of commemorating the services and marking by appropriate monuments and markers the positions of the several commands of Illinois Volunteers that were engaged in the campaign and siege of Vicksburg, Mississippi, in the National Military Park at that place, and also the services of those that were engaged therein but not actually in the siege lines, and to pay the actual expenses of the commissioners hereinafter created, the following provisions and appropriation in this act contained, are hereby enacted and made.

§ 2. That, for carrying out the purposes of this act, the Governor shall appoint nine commissioners, to be known as the "Illinois-Vicksburg Military Park Commission," who shall have participated in said campaign and siege and were members of Illinois commands engaged therein, to whom no compensation for services shall be paid, but who shall receive their actual expenses incurred in the performance of their duties, not exceeding in the aggregate the sum of nine thousand dollars to be paid out of said appropriation, and said commissioners shall make full report to the Governor of their acts and doings hereunder.

§ 3. The said commissioners are hereby authorized and empowered to first make contracts for the construction, delivery and erection of appropriate monuments and markers for each regiment and battery and detachment, or other organization of Illinois Volunteers that participated in said campaign and siege within the limits of said National Military Park upon the positions occupied by said several regiments, batteries, detachments or other organizations, to be made entirely of granite, and to be appropriately inscribed, and also for the construction, delivery and erection of similar monuments and markers upon a central site set apart or to be set apart for that purpose by the Secretary of War of the United States, appropriately inscribed to designate the commands that participated in said campaign and siege but not actually in the siege lines; and second, to make a contract or contracts for the construction, delivery and erection of a State monument, to be located upon the site already set apart for that purpose by the Secretary of War of the United States within the limits of said National Military Park, as a memorial to all the soldiers and sailors of Illinois who participated in said

campaign and siege, the same to be of enduring stone and bronze, with all foundations and approaches, retaining walls, tablets, inscriptions and memorials, the total cost of all which monuments and markers and other materials and work connected with the construction and erection thereof as herein provided for, together with the actual expenses of said commissioners, shall not exceed the sum of two hundred and fifty thousand dollars.

§ 4. For the purpose of carrying out the provisions of this act, there is now hereby appropriated the sum of one hundred and fifty thousand dollars (\$150,000) to be applied thereto, so far as the same will reach, to be paid out of money in the State treasury, not otherwise appropriated.

§ 5. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the Treasurer, on the presentation of proper vouchers certified by said commission and approved by the Governor, for the payment of the cost of said monuments and markers, and other material and work connected with the construction and erection thereof, to the extent of said appropriation hereby made, when the same shall be constructed, delivered and erected in the places to be designated by said commission, in accordance with the terms and provisions of such contract or contracts to be made hereunder, and also to pay the actual expenses of said commissioners.

APPROVED May 14, 1903.

NATIONAL GUARD—ARMORY AT BLOOMINGTON.

Preamble.

§ 1. Appropriates \$10,000 for site and building—deed to State.

§ 2. How drawn.

Approved May 16, 1903.

AN ACT making an appropriation for the purchase of a site and building for an armory for the organizations of the Illinois National Guard located at Bloomington, Illinois.

WHEREAS, For over thirty years there has been one company, and for many years two companies representing the two branches of the State Militia, and for two years there have been three companies located in Bloomington, viz: Company D, 5th Infantry; Troop B, 1st Cavalry, and Company G, 8th Infantry; and,

WHEREAS, Large sums of money have been paid annually out of the State Treasury for rent of armory and quarters for the organizations of the Illinois National Guard located at Bloomington, Illinois, and that the State of Illinois is liable at any time to lose its present armory and quarters, as it has in the past, and to find it difficult to secure new ones on account of business developments; and,

WHEREAS, The State of Illinois will never be able to procure in Bloomington, Illinois, an armory, for the use of the Illinois National Guard located in that city, as acceptable as the one now offered, which is a brick structure of imposing architecture, and when built was designed and constructed with a view to using it for an armory. It is located within two blocks of the square, on high ground and on a paved street; covers a lot 100x130 feet, having a drill space on the ground floor one hundred feet square, and is worth thirty thousand dollars (\$30,000.) The citizens of Bloomington will donate this building and ground if the State will pay ten thousand dollars (\$10,000) on the purchase price, said deed to go to the State for armory purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of ten thousand dollars (\$10,000) is hereby appropriated for the purchase of a suitable site and building for an armory at Bloomington, Illinois, to be used by the organizations of the Illinois National Guard located at Bloomington, Illinois, or for any other State purpose, and said sum of ten thousand dollars (\$10,000) shall not be expended until the State has received a deed conveying a good and clear title in fee simple to said property.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 16, 1903.

NATIONAL GUARD—CAMP LINCOLN.

§ 1. For purposes enumerated, \$3,600.

Approved May 16, 1903.

§ 2. How drawn.

AN ACT to provide for improvements for the Illinois National Guard and Naval Militia at Camp Lincoln.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of thirty-six hundred dollars (\$3,600,) or so much thereof as may be necessary, is hereby appropriated to pay for the following named necessary improvements at Camp Lincoln, viz:

Target butts and pit.....	\$2,000
Roads and sewage.....	1,000
Closet for men and connections.....	600

\$3,600

§ 2. The Auditor of Public Accounts is hereby authorized and directed [directed] to draw his warrant for the sum herein specified, upon

the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 16, 1903.

NATIONAL GUARD—FIRST REGIMENT.

- § 1. For property turned over to State, \$880. | Approved May 15, 1903.
 § 2. How drawn.

AN ACT appropriating eight hundred and eighty dollars (\$880) to reimburse the First Infantry Illinois National Guard, for property turned over by said regiment to the State of Illinois at the time when said regiment was mustered into the service of the United States during the Spanish-American War.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eight hundred and eighty dollars (\$880) is hereby appropriated to reimburse the First Infantry Illinois National Guard for property turned over by said regiment to the State of Illinois, the said property being the following:

12 bugles, at \$4.50.....	\$ 54
12 drums, at \$18.....	216
8 field desks.....	25
13 Buzzacott cooking ranges, at \$45.....	585

Total \$880

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the aforesaid sum of money in favor of the colonel commanding said regiment for the use of said regiment, and the State Treasurer is hereby authorized to pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED May 15, 1903.

NATIONAL GUARD—LOGAN RIFLE RANGE.

- § 1. For improvements of Logan Rifle | Approved May 16, 1903.
 Range, \$3,225.
 § 2. How drawn.

AN ACT to provide for certain repairs and improvements at the Logan rifle range.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three thousand two hundred twenty-five dollars (\$3,225), or so much thereof as may be necessary, is hereby appropriated for the purpose of grading, bridging, painting and other necessary repairs at the Logan rifle range.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 16, 1903.

NATIONAL GUARD—ORDINARY AND CONTINGENT EXPENSES.

§ 1. For ordinary and contingent expenses, per annum, \$316,164; emergency fund, \$50,000.

§ 2. How drawn.

Approved May 15, 1903.

AN ACT to provide for the ordinary and contingent expenses of the Illinois National Guard and the Naval Militia of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three hundred sixteen thousand, one hundred sixty-four dollars (\$316,164) per annum, or so much thereof as may be necessary, is hereby appropriated to pay the ordinary and contingent expenses of the Illinois National Guard and Naval Militia of Illinois,

Transportation, subsistence, camp pay, horse hire and forage	\$ 151,717 21
Medical supplies, rent of ground back of rifle range, fuel for camp, coal for steaming Dorothea tugs (naval militia), naval supplies, ship's chandlery, naval supplies, general expense, engine room repairs, supplies and civilian employes.....	7,885 00
Inspection of companies at home stations, boards of examination survey, court martial, target practice, ammunition, transportation, etc.....	27,500 00
Lighting camp, laundering bed-sacks, ice, telephone, transferring equipage, rations enroute, repairs on ovens, cooking utensils, water supply, closets, baths, civilian employes, carpenter repairs, lumber, rakes, brooms and incidentals.....	12,805 00
Armory rents, water, light, fuel, janitor service, etc.....	110,000 00
Miscellaneous expenditures during the year.....	6,256 79
Total.....	\$ 316,164 00

That the further sum of fifty thousand dollars (\$50,000) is hereby appropriated as an emergency fund to be used by the Governor in cases of emergency when the Illinois National Guard or Naval Militia of Illinois are called into active duty by the Governor to protect the life and property of the citizens of the State. No portion of said sum to be expended or paid except upon the express order of the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and

directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 15, 1903.

NATIONAL GUARD—PURCHASE OF BLANKETS AND TENTS.

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|---|---------------------------------|
| <p>§ 1. For tents, blankets, uniforms, etc.,
\$150,000.</p> | <p> Approved May 16, 1903.</p> |
| <p>§ 2. How drawn.</p> | |

AN ACT to provide for the purchase of uniforms, blankets and tents for the Illinois National Guard and the Naval Militia of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of one hundred and fifty thousand dollars (\$150,000), or so much thereof as may be necessary, is hereby appropriated to pay for the manufacture and purchase of eight thousand dress and eight thousand (8,000) field service (kahki) uniforms and overcoats, leggins, blankets and tents for the Illinois National Guard and the Naval Militia of Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 16, 1903.

PENAL AND REFORMATORY—HOME FOR JUVENILE OFFENDERS.

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|--|---------------------------------|
| <p>§ 1. Conveying offenders to Home—deficiency, \$3,500.</p> | <p> Approved May 15, 1903.</p> |
| <p>§ 2. Emergency.</p> | |

AN ACT making an appropriation to provide for a deficiency to pay for conveying female offenders to the State Home for Juvenile Female Offenders.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of three thousand five hundred dollars (\$3,500), or so much thereof as may be necessary, be, and is hereby, appropriated to meet a deficiency for conveying female offenders to the State Home for Juvenile Offenders to July 1, 1903, to be ascertained and paid in the same manner as for conveying convicts to the penitentiary.

§ 2. WHEREAS, An emergency exists; therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 15, 1903.

PENAL AND REFORMATORY—SOUTHERN PENITENTIARY.

§ 1. Ordinary expenses for year ending June 30, 1904, \$90,000—same for year ending June 30, 1905, \$200,000—other expenses, \$50,500.	§ 2. How drawn. Approved May 16, 1902.
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AN ACT making an appropriation for the Southern Illinois Penitentiary, and to enable the commissioners thereof to keep the convicts in said penitentiary employed.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the following amounts, or so much thereof as may be necessary, be, and the same are, hereby appropriated to the Southern Illinois Penitentiary for purposes hereinafter named, and no other: For ordinary expenses for the year ending June 30, 1904, the sum of \$90,000. For ordinary expenses for the year ending June 30, 1905, the sum of \$200,000, and to enable the commissioners to keep profitably employed in accordance with law, the convicts of said penitentiary, and the commissioners are hereby authorized to expend so much of the amount hereby appropriated as may be necessary to keep employed, as nearly as may be, all prisoners who are now, or may hereafter become idle, but in accordance with law.

For repairs and refurnishing, \$5,000 per annum.....	\$10,000
For contingent expenses, \$5,000 per annum.....	10,000
For maintaining library and furnishing chapel, \$250 per annum.....	500
For expense in enforcing parole law, \$2,500 per annum.....	5,000
For purchasing team.....	1,000
For erection of a small ice plant.....	3,000
For purchase of 112 acres of land adjoining prison farm and clay fields.....	6,000
For erecting and equipping a prison hospital.....	15,000

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the moneys herein appropriated, in such sums and at such times as the same may be required, upon the order of the board of commissioners of said penitentiary, signed by the president and attested by the secretary, with the seal of the institution, and the approval of the Governor thereto attached.

APPROVED May 16, 1903.

PENAL AND REFORMATORY—STATE PENITENTIARY.

- § 1. Appropriates sums named for purposes enumerated. | Approved May 16, 1903.
- § 2. How drawn. |

AN ACT to make appropriations for ordinary and other expenses of the Illinois State Penitentiary at Joliet.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following amounts, or so much thereof as may be necessary, be, and the same are hereby appropriated to the Illinois State Penitentiary at Joliet, for the purposes hereinafter named and no other:

For ordinary expenses for the year ending June 30, 1904, the sum of.....	\$150,000
For ordinary expenses for the year ending June 30, 1905, the sum of	240,000
For meeting the expenses of maintaining and operating the parole system, the sum of \$7,000 per annum.....	14,000
For painting, relaying floors, repairs, renewing roofs and walls of buildings renewing and rebuilding steam and water pipes, engines, boilers and machinery, and to make such other repairs and renewals as may be required to keep said prison plant in ordinary repair, the sum of \$25,000 per annum	50,000
For equipping new dining room and kitchen with necessary fixtures and cooking utensils, the sum of.....	5,000
For new roof on west cell house, the sum of.....	18,000
For new heating plants in shops, the sum of.....	5,000
For replacing sidewalks in the yard, the sum of.....	2,500
For the purpose of carrying on manufacturing, and for the purchase of materials as provided for by the anti-convict labor act, the sum of \$100,000 per annum.....	200,000

The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the moneys hereinbefore appropriated, upon the order of the board of commissioners of said penitentiary, signed by the president and attested by the secretary, with the seal of the institution attached, and approved by the Governor.

APPROVED May 16, 1903.

PENAL AND REFORMATORY—STATE REFORMATORY.

§ 1. Appropriates for items enumerated, | Approved May 16, 1903.
\$332,200.

§ 2. How drawn.

AN ACT making appropriations for the Illinois State Reformatory at Pontiac for the two years beginning July, [1,] 1903, and ending July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and the same are hereby, appropriated for the purposes herein named, payable according to law.

For ordinary expenses, \$160,000 per annum.....	\$320,000
For discharge, parole and return of prisoners, \$15,000 per annum.....	30,000
For repairs and improvements, \$5,000 per annum.....	10,000
For equipment and maintenance of trade schools, \$8,000 per annum	10,000
For material for trade school instruction, \$5,000 per annum..	10,000
For maintenance of electric light plant, telephone, telegraph and fire alarm system, \$2,000 per annum	4,000
For school books for inmates, \$750 per annum.....	1,500
For school seats, maps, desks and charts, \$750 per annum...	1,500
For extension and equipment of library, \$1,000 per annum.	2,000
For teams, cows and additional farm machinery, \$1,000 per annum.....	2,000
For lectures, entertainments, concerts and amusements for inmates, \$600 per annum.....	1,200

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants on the State Treasurer for the moneys hereinbefore appropriated upon the order of the board of managers of said reformatory, signed by the president and attested by its secretary, with the seal of said reformatory attached, and approved by the Governor.

APPROVED May 16, 1903.

PENAL AND REFORMATORY—STATE REFORMATORY—FIRE LOSS.

Preamble.

§ 1. Appropriates \$75,000.

§ 2. How drawn.

§ 3. Emergency.

Approved May 15, 1903.

AN ACT making an appropriation to repair the north cell house of the Illinois State Reformatory, partly destroyed and damaged by fire on the 8th day of May, 1902, and also to repair the main building of said Reformatory, damaged by fire on the 30th day of October, 1902.

WHEREAS, On the 8th day of May, 1902, a fire broke out at the Illinois State Reformatory, at Pontiac, badly damaging and partly destroying the north cell house used for the confinement of the inmates of said reformatory; and,

WHEREAS, The said buildings are indispensable to the well being of said institution, as well as to the proper control and custody of the inmates thereof, and the repair and improvement of same on account of said losses by fire are pressing necessities for said institution; and,

WHEREAS, The sum necessary to repair the loss occasioned by said fires and make the needed improvements on said building, amount in the aggregate to seventy-five thousand dollars; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of seventy-five thousand dollars (\$75,000) be appropriated out of the funds in the treasury not otherwise appropriated, for the purpose of repairing the loss and making the improvements on said buildings necessary on account of said fires.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrants on the State Treasurer for the money hereinbefore appropriated, upon the order of the board of managers of said reformatory, signed by the president and attested by the secretary, with the seal of said reformatory attached, and approved by the Governor.

§ 3. WHEREAS, An emergency exists, therefore, this act shall be in force and take effect from and after its passage.

APPROVED May 15, 1903.

POULTRY ASSOCIATION.

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| <p>§ 1. For expenses of annual meetings, per annum, \$1,000.</p> <p>§ 2. Officers to receive no salary for services.</p> | <p>§ 3. How drawn.</p> <p>§ 4. Duty of treasurer of association.</p> |
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Approved May 15, 1903.

AN ACT making an appropriation for the Illinois State Poultry Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand dollars (\$1,000) per annum for the years 1903 and 1904, be, and is hereby, appropriated out of any money in the State Treasury not otherwise appropriated, for the use and benefit of the Illinois State Poultry Association, said amount to be used for the purpose of paying premiums, providing uniform coops and defraying the expenses incurred in holding annual meetings, and for such other purposes as in the judgment of this association shall best subserve the poultry interests of the State of Illinois.

§ 2. No officer or officers of the Illinois State Poultry Association shall be entitled to or receive any moneyed compensation whatever for any service rendered for the same.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrant for the same and deliver it to the treasurer of the Illinois State Poultry Association; upon his presenting proper itemized receipts therefor, certified to by the president and secretary of said association under seal of such corporation.

§ 4. It shall be the duty of the treasurer of the Illinois State Poultry Association to pay out of said appropriation on itemized and receipted vouchers, such sums as may be authorized by vote of said organization on the order of the president, countersigned by the secretary, and make annual report to the Governor of all expenditures as provided by law.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—EASTERN NORMAL.

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|---|------------------------|
| <p>§ 1. Appropriates \$48,000, ordinary expenses for year beginning July 1, 1903.</p> <p>§ 2. Appropriates \$48,000, ordinary expenses for year beginning July 1, 1904.</p> | <p>§ 3. How drawn.</p> |
|---|------------------------|

Approved May 15, 1903.

AN ACT making appropriation for the ordinary expenses of the Eastern Illinois State Normal School.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the purpose of defraying the ordinary expenses

of the Eastern Illinois State Normal School for the year beginning July 1, 1903, the sum of 48,000, payable quarterly in advance.

§ 2. For the purpose of defraying the ordinary expenses of the said Eastern Illinois State Normal School for the year beginning July 1, 1904, the sum of \$48,000, payable quarterly in advance, and at the same rate thereafter until the expiration of the first fiscal quarter after the adjournment of the next General Assembly.

§ 3. The Auditor of Public Accounts is hereby authorized and required to draw up his warrant upon the State Treasurer for the said sums appropriated for the ordinary expenses quarterly as aforesaid, upon the order of the trustees of said institution, signed by the president and attested by the secretary with the corporate seal thereto attached: *Provided*, satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the said Auditor of Public Accounts for all expenses of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—EASTERN NORMAL.

§ 1. For items enumerated, \$43,000.

Approved May 16, 1903.

§ 2. How drawn.

AN ACT *making appropriation for the Eastern Illinois State Normal School.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the following sum be, and are hereby appropriated to the Eastern Illinois State Normal School for the purposes herein stated for the two years beginning July 1, 1903, the sum of \$43,000 as follows:

For improving grounds, \$3,000 per annum.....	\$6,000
For library, \$3,000 per annum.....	6,000
For furniture	1,000
For laboratory.....	4,000
For forestry extension.....	1,000
*For building and furnishing gymnasium	25,000

Total..... \$43,000

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the aforesaid sum of money upon the order of the board of trustees of said Eastern Illinois State Normal School, signed by the president and attested by the secretary of said board, and the corporate seal of said institution attached and approved by the Governor.

APPROVED May 16, 1903.

*I hereby certify that the foregoing act, as printed above, is a correct copy of Senate Bill No. 34, as enrolled and submitted to the Governor for his approval. The item marked with a star, to wit: "For building and furnishing gymnasium, \$25,000" was vetoed by the Governor and the remaining items approved, by which action the total appropriation for the Eastern Illinois State Normal School for the purposes stated in this act is reduced from \$43,000, as printed above, to \$18,000.

JAMES A. ROSE,
Secretary of State.

SCHOOLS AND UNIVERSITIES—NORTHERN NORMAL.

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|---|------------------------|
| § 1. For ordinary expenses, \$49,000 per annum. | § 2. How drawn. |
| | Approved May 15, 1903. |

AN ACT to appropriate money for the ordinary expenses of the Northern Illinois State Normal School, DeKalb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the purpose of defraying the ordinary expenses of the Northern Illinois State Normal School for the two years beginning July 1, 1903, the sum of forty-nine thousand dollars per annum, payable quarterly in advance.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for the said sums appropriated for the ordinary expenses quarterly, as aforesaid, upon the order of the trustees of the said institution, signed by the president and attested by the secretary, with the corporate seal attached: *Provided*, satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the said Auditor of Public Accounts, for all expenses of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—NORTHERN NORMAL.

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|--------------------------------------|------------------------|
| § 1. For items enumerated, \$29,717. | Approved May 16, 1903. |
| § 2. How drawn. | |

AN ACT making appropriation to the Northern Illinois State Normal School, DeKalb.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and are hereby, appropriated to the Northern Illinois Normal School,

DeKalb, for the purposes herein stated, one-half of the entire amount being due and payable on July 1, 1903, and the remaining part on July 1, 1904:

For building pavement	\$9,600
*For building cement walks	1,952
For building septic tank and sewer	1,300
*For planting and guaranteeing 800 trees	2,000
For building iron fence	940
For building woven wire fence	325
For excavation and fills	6,500
For repairs of roof	1,000
*For plant house for agriculture and horticulture	4,000
For superintendence	600
For bridge on south side of grounds	1,500

Total \$29,717

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the aforesaid sum of money upon the order of the board of trustees of said educational institution herein named, signed by the president and attested by the secretary of said board, with the corporate seal of said institution attached, and approved by the Governor.

APPROVED May 16, 1903.

* I hereby certify that the foregoing act, as printed above, is a correct copy of House Bill No. 305, as enrolled and submitted to the Governor for his approval. The items marked with a star, to-wit: "for building cement walks, \$1,952;" "for planting and guaranteeing 800 trees, \$2,000;" "for plant house for agriculture and horticulture, \$4,000," were vetoed by the Governor and the remaining items approved, by which action the total appropriation for the Northern Illinois State Normal School, for the purposes stated in this act, is reduced from \$29,717, as printed above, to \$21,765.

JAMES A. ROSE,
Secretary of State.

SCHOOLS AND UNIVERSITIES--SOUTHERN NORMAL.

§ 1. Library and museum, \$25,000.

§ 3. How drawn.

§ 2. Construction and location of building.

Approved May 15, 1903.

AN ACT to make an appropriation to construct and furnish a building for a library and museum at the Southern Illinois Normal University at Carbondale, Illinois.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That there be, and is hereby,

appropriated the sum of \$25,000 for the purpose of erecting and furnishing a suitable building for a library and museum at the Southern Illinois Normal University at Carbondale, Illinois.

§ 2. Said building shall be constructed at such place on the property of the said university, as the trustees thereof may select, and under the direction and supervision of said trustees.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant or warrants on the State Treasurer for the sum herein appropriated, upon the order of the board of trustees of the Southern Illinois Normal University, countersigned by the secretary of said board, with the seal of said university.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—SOUTHERN NORMAL.

§ 1. Appropriates one-half of interest on college and seminary fund and \$42,500 per annum.

§ 2. How drawn.

Approved May 15, 1903.

AN ACT to make an appropriation for the ordinary expenses of the Southern Illinois Normal University at Carbondale, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and there is hereby, appropriated to the Southern Illinois Normal University at Carbondale, in addition to one-half the interest on the college and seminary fund, which is hereby appropriated, the further sum of forty-two thousand five hundred dollars (\$42,500) per annum, payable quarterly in advance, for the payment of salaries, for fuel, lights, repairs, library, apparatus, museum, salaries of engineer and janitor, printing and advertising, trustees expenses, care of grounds and for gymnasium.

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the State Treasurer for said sum appropriated for the ordinary expenses, quarterly as aforesaid, upon the order of the trustees of said Southern Illinois Normal University, signed by the president and attested by the secretary, with the corporate seal thereto attached: *Provided*, that satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the said Auditor of Public Accounts for all expenses of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—STATE NORMAL.

§ 1. Appropriates one-half of interest of college and seminary fund; salaries, repairs and other items enumerated, per annum, \$48,506.44; additional equipment, apparatus, etc., \$13,000.

§ 2. How drawn.

Approved May 16, 1903.

AN ACT to make an appropriation for the ordinary expenses of the Illinois State Normal University, at Normal, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and hereby is appropriated to the Illinois State Normal University, in addition to the one-half interest of the College and Seminary Fund, which is hereby appropriated the further sum of forty-eight thousand, five hundred, six and 44-100 (\$48,506.44) dollars per annum, payable quarterly in advance, for the payment of salaries, for the expenses of the Board of Education, for ordinary repairs on buildings and heating plants, for the purchase of fuel, for additions to the library, for school apparatus, for furniture, for laboratory supplies, for care of the grounds and for incidental expenses.

For additional equipment, apparatus, improvement of grounds and extraordinary repairs thirteen thousand (13,000) dollars for the year beginning July 1, 1903, as follows:

*For greenhouse and school garden.....	\$5,500
For painting buildings.....	2,450
For improvement of grounds.....	2,000
For completion of gymnasium.....	2,000
For blackboards, desks.....	425
For rebuilding south wall of Model School.....	325
For manual training equipment.....	300
Total.....	\$13,000

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant upon the Treasurer for the aforesaid sum of money, upon the order of the Board of Education of the State of Illinois, signed by the President and attested by the Secretary of the said Board, with corporate seal of said Institution: *Provided*, that satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the Auditor of Public Accounts for the expenditures ordinary and extraordinary of the preceding quarter, and that no part of the money herein appropriated shall be due and payable until such vouchers shall have been filed.

APPROVED May 16, 1903.

*I hereby certify that the foregoing act, as printed above, is a correct copy of House Bill No. 89, as enrolled and submitted to the Governor for his approval. The item marked with a star, to-wit: "For greenhouse and school garden, \$5,500," was vetoed by the Governor and the remaining items approved, by which action the total appropriation for additional equipment, apparatus, improvement of grounds and extraordinary repairs for the year beginning July 1, 1903 is reduced from \$13,000, as printed above, to \$7,500.

JAMES A. ROSE,
Secretary of State,

SCHOOLS AND UNIVERSITIES—WESTERN NORMAL.

§ 1. Appropriates \$27,025 for purposes stated.	§ 2. How drawn. Approved May 15, 1903.
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*AN ACT making an appropriation for the Western Illinois State
Normal School.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum of twenty-seven thousand and twenty-five dollars (\$27,025) be, and the same is, hereby appropriated to the Western Illinois State Normal School, for the purposes herein stated, for the two years beginning July 1, 1903.

For improvement of grounds, \$5,000 per annum.....	\$10,000
For seating assembly hall and additional rooms.....	3,600 ✓
For books for library, \$2,000 per annum.....	4,000 ✓
For apparatus for biological laboratory.....	1,500
For apparatus for physical and chemical laboratories.....	1,500
For models and materials for drawing department.....	300
For apparatus for gymnasium.....	500
For carpeting for platform.....	100
For maps and charts.....	200
For song books.....	150
For teachers' desks.....	225
For piano and music department.....	300
For seating for furnishing society halls.....	800
For apparatus for manual training department.....	900
For repairs.....	500
For painting rear of building and power house.....	450
For additional furniture and furnishings.....	2,000

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants on the Treasurer for the foregoing sums of money on the order of the board of trustees of said institution, signed by its president, attested by its secretary, with corporate seal attached, and with the approval of the Governor: *Provided*, that no part of this appropriation shall be due and payable until an account in detail, sustained by vouchers, shall be filed with the Auditor, showing to his satisfaction all previous expenditures of appropriations heretofore made for said institution.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—WESTERN NORMAL—ORDINARY EXPENSES.

§ 1. Ordinary expenses, for two years beginning July 1, 1903, \$22,690.	§ 2. How drawn. Approved May 15, 1903.
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AN ACT making an appropriation to defray the ordinary expenses of the Western Illinois State Normal School.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby appropriated to the Western Illinois State Normal School the sum of thirty-seven thousand and seventy dollars (\$37,070) per annum, payable quarterly in advance, to defray the ordinary expenses of said institution, for the two years beginning July 1, 1903, which sum shall be apportioned as follows:

For salaries of principals and teachers.....	\$ 22,690 ✓
For salaries of 4 additional teachers.....	3,700
For salaries of engineer, fireman and janitors.....	2,710 ✓
For fuel and light.....	2,000 ✓
For lectures.....	300
For catalogues, printing and stationery.....	1,000 ✓
For expenses of trustees.....	1,000
For expenses of trustees.....	500
For contingent expenses.....	1,000
For stenographer.....	480
For postage, express and freight.....	300
For telephone.....	60
For commencement.....	130
For supplies, steam heating plant.....	200
For miscellaneous supplies, paper, ink, etc.....	500
For Registrar's services from date of appointment to July 1, 1901.....	500
Total.....	\$ 37,070

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrant on the Treasurer for the foregoing sums of money, on the order of the board of trustees, signed by the president and attested by the secretary of said board, with corporate seal attached; *Provided*, that satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the Auditor of Public Accounts, for the ordinary expenses of the preceding quarter, and that no part of the money appropriated hereby, shall be due and payable until such vouchers shall be filed.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—UNIVERSITY OF ILLINOIS.

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| § 1. Appropriates interest on congressional
endowment fund to July 1, 1905. | § 2. How drawn.
Approved May 15, 1903. |
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AN ACT appropriating to the University of Illinois the money granted in an act of Congress, approved August 30, 1890, entitled "An act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress, approved July 2, 1862."

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the sum or sums of money which may have accrued, or may hereafter, before the first day of July, 1905, accrue to the State of Illinois under the provisions of an act of the Congress of the United States, approved August 30, 1890, entitled, "An act to apply a portion of the proceeds of public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an act of Congress, approved July 2, 1862," are hereby appropriated to the University of Illinois, and whenever any portion of the said money shall be received by the State Treasurer it shall immediately be due and payable into the treasury of said university.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the treasurer for the sums hereby appropriated, upon the order of the chairman of the board of trustees of said university, countersigned by its secretary and with the corporate seal of the said university.

APPROVED May 15, 1903.

SCHOOLS AND UNIVERSITIES—UNIVERSITY OF ILLINOIS.

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| § 1. Salaries and ordinary expenses, per
annum, \$250,000; other items enu-
merated, per annum, \$128,200. | § 2. Additions to plant, \$100 000.
§ 3. How drawn.
Approved May 16, 1903. |
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AN ACT making appropriations for the University of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to the University of Illinois, for the payment of salaries, for the care of buildings and grounds, and for ordinary operating expenses the sum of two hundred and fifty thousand (250,000) dollars per annum.

For materials for shop practice, the sum of three thousand (3,000) dollars per annum.

For increase of scientific cabinets and collections, two thousand (2,000) dollars per annum.

For additions to the library, twenty thousand (20,000) dollars per annum.

For additions to apparatus and appliances, three thousand (3,000) dollars per annum.

For fire protection, fifteen hundred (1,500) dollars per annum.

For laying pavements and walks, five thousand (5,000) dollars per annum.

For maintenance of vaccine laboratory, fifteen hundred (1,500) dollars per annum.

For maintenance and extension of engineering equipment, seventy-five thousand (75,000) dollars per annum.

For painting and repairs on building and improvements to grounds, five thousand (5,000) dollars per annum.

For carrying on State water analysis, four thousand (4,000) dollars per annum.

For draining, fencing and repairs on experimental farms, five thousand (5,000) dollars per annum.

For maintenance of the department of social and political science, and industrial economics, seven thousand two hundred (7,200) dollars per annum.

For the maintenance of the school of music, three thousand (3,000) dollars per annum.

For providing additional teachers in the College of Agriculture, and also to enable the college to meet the demands for instruction at the farmers' institutes, six thousand dollars (\$6,000) per annum.

§ 2. That there be, and is hereby, appropriated to the University of Illinois, the following sums for additions to the plant:

For furnishing and equipping the new chemical laboratory, ten thousand (10,000) dollars.

For an additional well and equipment at the water station, two thousand (2,000) dollars.

For a telephone exchange system between university buildings, three thousand (3,000) dollars.

For furnishing and equipping the law building, two thousand five hundred (2,500) dollars.

For laying a new floor in the armory, two thousand five hundred (2,500) dollars.

For a woman's building, eighty thousand (80,000) dollars.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, payable out of any money in the treasury not otherwise appropriated, upon the order of the board of trustees of said university, attested by its secretary and with the corporate seal of the university: *Provided*, that no part of said sum shall be due and

payable to said university until satisfactory vouchers in detail, approved by the Governor, shall be filed with the Auditor for all previous expenditures incurred by the university, on account of the appropriations hitherto made: *And, provided further*, that vouchers shall be taken in duplicates, and original and duplicate vouchers shall be forwarded to the Auditor of Public Accounts, for the expenditure of the sums appropriated in this act.

APPROVED May 16, 1903:

STATE GOVERNMENT—GENERAL EXPENSES.

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| <p>1. Makes appropriations for ordinary and contingent expenses, as follows:</p> <ol style="list-style-type: none"> 1. GOVERNOR—Contingent fund, \$5,000 per annum. 2. Secretary, stenographer, etc., \$10,000 per annum. 3. Postage, telegraphing, express, etc., \$5,000 per annum. 4. Executive mansion, \$6,000 per annum. 6. LIEUTENANT GOVERNOR—Incidentals, \$250 per annum. 7. SECRETARY OF STATE—Clerks, stenographers, janitors, police, porters, messengers and other employés, and postage, expressage, repairs, care of Capitol, etc., \$104,240 per annum. 8. Fuel, repairs, heating and light plant, \$14,500 per annum. 9. Supreme Court reports, the sum required by law. 10. Flags, \$200. 11. State library, employés and books, \$4,500 per annum. 12. Building heating plant, new boilers and dynamo, heating and lighting armory, \$55,500. 13. Copying laws, etc., expressage, postage, etc., \$300 and \$1,200 per annum. 14. STATE CONTRACTS COMMISSIONERS—Printing, paper, etc., for use of General Assembly and executive departments, \$23,000 per annum. 15. Printing and binding, \$55,000 and \$12,000 per annum. 16. AUDITOR OF PUBLIC ACCOUNTS—Clerks, stenographer, messengers, janitors and other employés, and for postage, expressage, etc., \$18,340 per annum. | <ol style="list-style-type: none"> 17. Conveying female offenders, \$4,000 per annum. 18. Costs and expenses of State suits, \$500 per annum. 19. Conveying convicts, etc., \$20,000 per annum. 20. Fugitives from justice, \$2,000 and \$1,200 per annum. 21. Conveying offenders to reformatory, etc., \$15,000 per annum. 22. STATE BOARD OF EQUALIZATION—Expenses, \$10,000 per annum. 23. STATE TREASURER—Clerks, watchmen and other employés, collection of inheritance tax, repairs, express, postage and other incidentals, \$19,700 per annum. 24. Necessary amount to refund taxes collected in error. 25. ATTORNEY GENERAL—Assistants, clerks, messenger and porter, official duties required by law, telegraphing, postage, etc., \$30,120 per annum. 26. SUPERINTENDENT OF PUBLIC INSTRUCTION—Assistants, clerks and other employés, postage, express, etc., repairs, \$457 and \$9,820 per annum. 27. Interest on distributable fund, \$57,000 per annum. 28. Distributable school fund, \$1,000-000 per annum. 29. ADJUTANT GENERAL—Assistant, clerks and other employés in office, camps, memorial hall, arsenal, etc., \$10,640 per annum. 30. BOARD PUBLIC CHARITIES—Secretary's salary and miscellaneous expenses, \$11,500 per annum. |
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31. SUPREME COURT—Expenses, librarian, reporter, janitors, furnishing and equipping office of clerk, \$7,000 and \$11,320 per annum.
32. APPELLATE COURTS—Office rent, library, furniture, fuel, stationery and other necessary expenses, repairs, etc., \$7,100 and \$27,210 per annum.
33. MUSEUM NATURAL HISTORY—Curator, assistant, janitor, moving collection, new cases, and other necessary expenses, \$1,000 and \$4,720 per annum.
34. RAILROAD AND WAREHOUSE COMMISSIONERS—Officers' expenses, clerks, maps, reports, and other necessary expenses, \$1,000 and \$14,800 per annum.
35. COMMISSIONERS OF LABOR STATISTICS—Clerk hire, expenses of commissioners, expenses of mine inspectors, clerk hire and expenses Illinois free employment offices, etc., \$265 and \$37,235 per annum.
36. FISH COMMISSIONERS—Expenses of commissioners, salaries of wardens and miscellaneous expenditures, \$22,700 per annum.
37. GENERAL ASSEMBLY, 44th—Committee expenses, \$2,000.
38. LINCOLN HOMESTEAD AND LINCOLN MONUMENT—Custodians, repairs, etc., \$1,500 and \$3,800 per annum.
39. LIVE STOCK COMMISSIONERS—Secretary's salary, clerks, stenographers, veterinarian, inspectors, expenses, etc., \$20,000 and 24,920 per annum.
40. INSURANCE SUPERINTENDENT—Actuary, clerks, messenger, janitor, legal services and other expenses, safes, repairs, etc., \$5,800 and \$37,565 per annum.
41. STATE HISTORICAL LIBRARY—Assistant librarian, expense of care and maintenance, editing and publishing historical documents, moving library and furnishing room, etc., \$5,000 and \$5,120 per annum.
42. STATE FACTORY INSPECTOR—Expenses, \$10,000 per annum.
43. SUPREME COURT REPORTER—Expenses and messenger service, \$1,470 per annum.
- 43½. STATE BOARD OF ARBITRATION—Traveling expenses, postage, expressage, clerk hire, rent, etc., \$5,000 per annum.
44. BOARD OF PARDONS—Stenographers' salary and other expenses, \$2,400 per annum.
45. STATE ENTOMOLOGIST—Assistants, printing, office and other expenses, \$15,000 and \$4,000 per annum.
46. STATE BOARD OF HEALTH—Secretary's salary, clerk hire, office and other necessary expenses, and inspection of lodging houses, etc., \$25,000 and \$24,360 per annum.
47. STATE FOOD COMMISSIONER—Analyst, stenographer, office and other expenses, \$17,160 per annum.
48. STATE BOARD OF AGRICULTURE—Removing and refitting agricultural museum, \$1,000.
49. COMMISSION OF CLAIMS—Printing opinions, \$1,500.
50. UNIVERSITY OF ILLINOIS—Interest or endowment fund with arrears, \$64,725.13.
51. SECRETARY OF STATE—Statue of Stephen A. Douglas, \$2,500.
52. How drawn.

AN ACT to provide for the ordinary and contingent expenses of the State government, until the expiration of the fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That the following named sums, or so much thereof as may be necessary, respectively, for the*

purposes hereinafter named, be, and are hereby, appropriated to meet the ordinary and contingent expenses of the State Government, until the expiration of the first fiscal quarter after the adjournment of the next General Assembly:

First. A sum not to exceed \$5,000 per annum shall be subject to the order of the Governor for defraying such public expenses of the State Government as are unforeseen by the General Assembly, and not otherwise provided for by law.

Second. To the Governor, the sum of \$10,000 per annum for secretary to the Governor, for the performance of such official duties of the Governor as may be required of him, and for executive clerk, index and general clerk, stenographer, assistant stenographer, messenger and janitor; payable monthly, as hereinafter named.

Third. To the Governor, a further sum not to exceed \$5,000 per annum for postage, expressage, telegraphing, telephoning and other expenses connected with the Governor's office, and incident to the discharge of his duties, payable as hereinafter named.

Fourth. To the Governor, for the care of the Executive Mansion and grounds, and for heating, lighting and other incidental expenses of the Executive Mansion, \$6,000 per annum.

Sixth. To the Lieutenant Governor, for postage, telegraphing, stationery and other incidental expenses, the sum of \$250 per annum.

Seventh. To the Secretary of State, for clerk hire in his office, the following sums: For chief clerk, \$2,700 per annum; for one assistant chief clerk, \$1,800 per annum; for one chief corporation clerk, \$2,000 per annum; for one corporation clerk, \$1,800 per annum; for one corporation clerk, \$1,500 per annum; for one corporation clerk, \$1,000 per annum; for one executive clerk, \$1,500 per annum; for one index clerk, \$2,000 per annum; for one assistant index clerk, \$1,500 per annum; for one assistant index clerk, \$900 per annum; for one anti-trust clerk, \$1,800 per annum; for one assistant anti-trust clerk, \$1,500 per annum; for one assistant anti-trust clerk \$1,200 per annum; for one assistant anti-trust clerk, \$1,000 per annum; for one assistant anti-trust clerk, \$900 per annum; for one shipping clerk, \$1,500 per annum; for one shipping clerk, \$1,320 per annum; for one shipping clerk, \$1,200 per annum; for one shipping clerk and janitor, \$1,200 per annum; for extra clerical services, \$1,500; for one private secretary and stenographer, \$1,500 per annum; for one supply clerk, \$1,500 per annum; for one assistant supply clerk, \$1,200 per annum; for one property clerk, \$900 per annum; for one stenographer and typewriter, \$1,000 per annum; for one stenographer and typewriter, \$900 per annum; for one stenographer and typewriter, \$800 per annum; for one bookkeeper, \$1,200 per annum; for three porters and messengers, \$720 each per annum; for one superintendent of capitol building and grounds, \$1,800 per annum; for one assistant superintendent of capitol building and grounds, \$1,200; for two carpenters, \$900 each per annum; for eight policemen, \$720 each per annum; for three elevator conductors, \$720 each per annum; for

eighteen janitors, \$720 each per annum; for one janitress, \$720 per annum; for one flagmen, \$720 per annum; for one chief engineer, \$1,200 per annum; for two assistant engineers, \$1,020 each per annum; for twelve firemen, \$800 each per annum; for one weigher, \$1,000 per annum; for one chief electrician, \$1,200 per annum; for three assistant electricians, \$900 each per annum, payable upon monthly pay-rolls certified to by the Secretary of State; for expenses in connection with the corporation department, the sum of \$3,000 per annum; to the Secretary of State, for postage, expressage, telegraphing and other incidental expenses of his office, \$3,000 per annum; and for the payment of all necessary incidental expenses incurred by the Secretary of State in the care and custody of the State House and grounds and other State property, and in repairs and improvements of the same, and for the performance of such other duties as may be imposed upon him by law, and for which no other appropriation has been made, the sum of \$8,000 per annum; for the purpose of enforcing the foreign corporation act, \$5,000 per annum.

Eighth. To the Secretary of State, for the purchase of fuel and repairs and other incidental expenses connected with heating the State House, the sum of \$10,000 per annum; for repairing the State House, heating and lighting plants, \$2,500 per annum; for incidental expenses connected with operating the State electric lighting plant, \$2,000 per annum.

Ninth. To the Secretary of State, such sums as may be necessary to enable him to purchase such volumes of the reports of the decisions of the Supreme Court as he is, or may be, by law, required to purchase.

Tenth. To the Secretary of State, for the purchase of flags for the dome of the Capitol building for two years, the sum of \$200.

Eleventh. To the Secretary of State, for the purchase of books and for the incidental expenses of the State Library, the sum of \$1,500 per annum; payable upon bills of particulars certified to by the Board of Commissioners of the State Library. To the Secretary of State, for salary of assistant librarian, \$1,200 per annum; for second assistant librarian, \$900 per annum; for third assistant librarian, \$900 per annum.

Twelfth. To the Secretary of State, for the purpose of building a heating plant and for the purchase of new boilers for the same, and an additional dynamo, and for making connections for the purpose of heating and lighting the new Armory building, the sum of \$55,500.

Thirteenth. To the Secretary of State, for copying the laws, journals and joint resolutions of the General Assembly, as provided by law, \$300; and for expressage and postage on same, \$1,200 per annum.

Fourteenth. To the Board of Commissioners of State Contracts, for the purchase on contract, as required by law, and other necessary expenses connected therewith, of printing paper and stationery for the use of the General Assembly and the executive departments, the sum of \$23,000 per annum.

Fifteenth. To the Board of Commissioners of State Contracts, for public printing, the sum of \$55,000, or so much as may be required; for public binding, the sum of \$12,000 per annum, or so much as may be necessary; the public printing and binding to be paid according to contract.

Sixteenth. To the Auditor of Public Accounts, for necessary clerk hire in his office, the following sums: For chief clerk, \$2,700 per annum; for revenue clerk, \$1,800 per annum; for warrant clerk, \$2,100 per annum; for assistant warrant clerk, \$1,500 per annum; for stenographer and typewriter, \$1,000 per annum; for one messenger and clerk, \$720 per annum; for one janitor, \$720 per annum; for additional clerk hire, the sum of \$3,500 per annum; for land clerk, \$1,800 per annum. To the Auditor of Public Accounts, for postage, express charges, telegraphing and other incidental expenses incurred in the discharge of his duties, a sum not to exceed \$2,500 per annum. To the Auditor of Public Accounts, for the purpose of paying for the clerical service incidental to the banking department and to the building and loan department, a sum not to exceed the fees received by him for preliminary examinations and filing reports for such banks, and building and loan associations, as now provided by law, to be accounted for in the regular reports required of him by law to be made.

Seventeenth. To the Auditor of Public Accounts, a sum not to exceed \$4,000 per annum, or so much thereof as may be needed, for conveying female offenders to the State Home for Juvenile Female Offenders, to be ascertained and paid, in the same manner as for conveying prisoners to the penitentiary.

Eighteenth. To the Auditor of Public Accounts, a sum not exceeding \$500 per annum, or so much thereof as may be necessary, costs and expenses of State suits.

Nineteenth. To the Auditor of Public Accounts, a sum not exceeding \$20,000 per annum, or so much thereof as may be necessary, for conveying convicts to the penitentiary, and from and to the penitentiary in cases of new trials, or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the penitentiary, the sheriff shall take them all at one trip.

Twentieth. To the Auditor of Public Accounts, for the payment of the expenses provided for by law for the apprehension and delivery of fugitives from justice, \$12,000 per annum, or so much thereof as may be necessary, to be paid on the evidence required by law, certified to and approved by the Governor, and the sum of \$2,000 for awards for arrests of fugitives from justice, to be paid on bills of particulars having the order of the Governor endorsed thereon.

Twenty-first. To the Auditor of Public Accounts, the sum of \$15,000 per annum, or so much thereof as may be necessary, for conveying offenders to the State Reformatory at Pontiac, and from and to the reformatory in cases of new trial, or when used as witnesses in cases,

to be paid by the Auditor in the manner now provided by law, to be ascertained and paid in the same manner as in cases of conveying prisoners to and from the penitentiary: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the reformatory, the sheriff shall take them all in one trip.

Twenty-second. To the State Board of Equalization, for paying expenses, a sum not exceeding \$10,000 per annum, payable in the manner provided by law.

Twenty-third. To the State Treasurer, for clerk hire, the sum of \$7,500 per annum; the sum of \$6,300 per annum for seven watchmen, and the sum of \$900 per annum for messenger and clerk, all payable on monthly payrolls, duly certified to by the Treasurer. To the State Treasurer, the sum of \$4,000 per annum, or so much thereof as may be necessary, to be used in the collection in [of] inheritance tax, payable on certificate of the Treasurer. To the State Treasurer, for repairs, express charges, postage, telegraphing and other incidental expenses connected with his office, a sum not to exceed \$1,000 per annum.

Twenty-fourth. To the State Treasurer, such sums as may be necessary to refund the taxes on real estate sold or paid on error, and for overpayment of collectors' accounts under laws governing such cases, to be paid out of the proper funds.

Twenty-fifth. To the Attorney General, for three assistants, the sum of \$2,800 each per annum; for a chief law clerk, the sum of \$1,800 per annum; for a law clerk and stenographer, the sum of \$1,200 per annum; for a messenger and porter, the sum of \$720 per annum; for the performance of such other duties as are required by law, the sum of \$16,000 per annum; for telegraphing, postage and other necessary expenses, \$2,000 per annum; payable on bills certified to by the Attorney General.

Twenty-sixth. To the Superintendent of Public Instruction the following sums are hereby appropriated: For a first assistant, \$2,400 per annum; for a second assisiant, \$1,500 per annum; for one clerk, \$1,200 per annum, for one stenographer and typewriter, \$1,000 per annum; for janitor, porter and messenger, the sum of \$720 per annum; for stairway to upper vault in office, the sum of \$457; all payable on the certificate of the Superintendent of Public Instruction. To the Superintendent of Public Instruction, for postage, expressage, telegraphing, expenses of State examinations, and all other necessary expenses of his office, a sum not exceeding \$3,000 per annum.

Twenty-seventh. To the Superintendent of Public Instruction, the sum of \$57,000 per annum, or so much thereof as may be necessary, to pay the interest on the school funds distributed annually in pursuance of law.

Twenty eighth. The sum of \$1,000,000 annually, out of the State school fund, to pay the amount of the Auditor's orders for the distribution of said fund to the several counties, and for payment of

the salaries and expenses of county superintendents of schools, as now provided by law. The Auditor shall issue his warrant to the State Treasurer, on the proper evidence that the amount distributed has been paid to the county superintendents.

Twenty-ninth. To the Adjutant General, for clerk hire in his office, the following sums: For assistant Adjutant General, \$1,800 per annum; for chief clerk, \$1,500 per annum; for record clerk, \$1,200 per annum: *Provided*, that in the employment of clerks and assistants in the Adjutant General's office, preference shall be given to Union soldiers, their widows and orphans; also the sum of \$1,000 per annum for postage, telegraphing, repairs and other incidental expenses connected with Memorial Hall, and his office; also for custodian of Memorial Hall, \$900 per annum; for stenographer and typewriter, \$1,000 per annum; for custodian at arsenal, \$1,200 per annum; for ordnance sergeant at arsenal, \$720 per annum; for one messenger \$720 per annum; for custodian at Camp Lincoln, \$600 per annum.

Thirtieth. To the Board of State Commissioners of Public Charities, for salary of secretary, \$3,000 per annum; for office and incidental expenses of the board, including clerical services in office and auditing institution accounts, necessary expenses of the commissioners and employes while engaged in the discharge of their duties of visitation and inspection, as required by law, \$7,000 per annum, or so much thereof as may be necessary; for the expenses of the board of auxiliary visitors in making inspections as provided by law, \$1,500 per annum, a sum not exceeding \$5 in amount to be paid therefrom to each member of said boards upon his fixing a certificate of the expense incurred in making such inspection.

Thirty-first. There is hereby appropriated to the Supreme Court, for the purpose of buying additional books for the Supreme Court library, and in order to place such library on an equality with the law libraries of other states, and also for the purpose of binding books in said library which need to be rebound, the sum of \$5,000 for the purpose of continuations and renewals of the different reports, encyclopedias, reporters, law magazines, current text books, etc., the sum of \$3,000 per annum; for expenses of the Supreme Court, stationery, repairs, printing, furniture and expressage, etc., the sum of \$4,000 per annum; for the salary of librarian of the Supreme Court, who shall also act as librarian of the Appellate Court, the sum of \$1,800 per annum; for the salary of a janitor for the Supreme Court, whose duties shall be to take care of Supreme Court room, Appellate Court room, Conference room, Supreme Court library and the private rooms of the judges, the sum of \$720 per annum, payable upon bills of particulars certified to by at least two of the judges of said court.

To the Clerk of the Supreme Court, for court reporter, \$1,800 per annum; for one janitor, \$720 per annum; and for the purchase of counters, desks, railings, files, carpets, chairs, re-decorating and other incidentals to properly furnish and equip his office, the sum of \$2,000.

Thirty-second. To the Appellate Court of the First district, for rent, \$10,500 per annum, and for no other purpose; for the purchase of law books and reports, \$1,500 per annum; for repairing old law books, \$500 per annum; for furniture, carpets, etc., \$600; for incidental expenses, \$750 per annum, for each court; for stenographer's salary, \$1,200 per annum for each court; said stenographers to work under the directions of the judges and of the clerk of said court; for librarian's salary (both courts) \$600 per annum; for outstanding debts for purchase of law books for the past two years (both courts) \$600; for outstanding debts for incidental expenses for the past two years (both courts) \$1,000.

To the Second district Appellate Court, for stationery, fuel, postage, lights, expressage, repairs, furniture and other expenses deemed necessary by the court, the sum of \$2,000 per annum; for books, \$600 per annum; for the rebinding of books, \$150 per annum; for rebuilding outside steps and repairing floors of the court house, \$2,100; for librarian, \$600 per annum.

To the Third district of the Appellate Court, for stationery, postage, expressage, furniture and other expenses deemed necessary by the court, \$750 per annum, the sums to be paid on bills of particulars certified to by the clerk of the court for which the expense was incurred.

To the fourth district of the Appellate Court, the sum of \$1,750 per annum for stationery, fuel, lights, postage, expressage, repairs, furniture and other expenses deemed necessary by the court; for books for law library, \$500 per annum; for librarian, \$600 per annum; to build steel galleries and shelves in the library and re-furnishing court room, \$2,500; to wire building for electric lights, \$300, such improvements to be made under the direction of the clerk and all bills for same to be approved by at least two of the judges of said court. Also the sum of \$720 each per annum to the second, third and fourth districts for the pay of janitors to be appointed by the clerks of the respective courts, and to perform such duties as shall be determined by the judges and clerks of the respective courts, to be paid on the order of at least two of the judges in each district; for one stenographer for each of the second, third and fourth districts, \$1,200 each per annum, such stenographers to be appointed and their duties to be prescribed by the clerks of the several Appellate courts, respectively; such salaries to be paid monthly, the same being certified to by at least two of the judges of said courts, respectively.

Thirty-third—To the trustees of the Illinois State Museum of Natural History, for the salary of the curator of the Illinois State Museum of Natural History, the sum of \$2,500 per annum; for the salary of an assistant curator, the sum of \$1,000 per annum; for the salary of a janitor, the sum of \$720 per annum, all payable monthly as provided by law. For the contingent and necessary expenses of the museum and library thereof, including postage, ex-

passage, mounting of new specimens acquired by purchase or gift, subscriptions on scientific journals and binding of the unbound volumes in the library, and for traveling expenses incurred on business connected with this office, the sum of \$500 per annum, payable on bills of particulars duly certified to by the curator and approved by the trustees. Also the sum of \$1,000, or as much thereof as may be necessary to cover the cost of moving the collections from the present rooms to the new rooms in the arsenal building, taking down, altering and setting up the old cases, and of new cases for the large mammals which are now without any. Reports on investigations shall be prepared by, or under the direction of the curator, and be presented to the board of trustees of the museum for approval. The board shall order such reports printed, and the expenses shall be paid out of the general fund appropriated for the public printing.

Thirty-fourth---To the Railroad and Warehouse Commissioners, for salary of the secretary, \$1,500 per annum; for the incidental expenses of their office, including care, stationery, postage, telegraphing, extra clerk hire and all necessary expenditures, except those hereinafter provided for, a sum not to exceed \$2,500 per annum. For any expense incurred in suits or investigation commenced by authority of the State, under any law now in force, or hereafter enacted, empowering or entrusting the board of commissioners, including the fees of experts employed and clerical help, the sum of \$4,000 per annum, or such part thereof as may be needed, for such purposes. For printing, mailing, expressing and publication of schedules of reasonable maximum rates of charges for the transportation of passengers and freight cars, made or revised for any or all of the railroads of the State, as provided by law, the sum of \$1,000, or so much thereof as may be needed for such purposes. For the printing, mailing, expressing and publication of railroad maps of Illinois to be bound with annual reports, the sum of \$2,000 per annum. For salary of civil engineer, when so employed by the commission in their discretion, the sum of \$3,000 per annum, which said civil engineer when so employed, shall do such engineering work and make such inspections and reports as the said commissioners may direct, and for salary of an assistant civil engineer, \$1,800 per annum, when employed as assistant civil engineer, whose duties shall be determined by the board.

Thirty-fifth---To the Commissioners of Labor Statistics, for the purpose of procuring, tabulating and publishing statistics of labor as contemplated by law; for the purchase of instruments for inspectors of mines; for clerical services, including special agents; for the incidental expenses of the board, and for defraying the per diem and traveling expenses of the commissioners and secretary, the sum of \$11,000 per annum; for instruments for inspectors of mines which have heretofore been purchased but not paid for by the State, the sum of \$265.

To the State Mining Board for the examination of candidates for certificates as mine inspectors, mine managers, mine examiners and hoisting engineers, for per diem and expenses of the board in con-

ducting such examination, including salary of stenographer, at \$720 per annum, the sum of \$6,000 per annum, or as much thereof as may be necessary.

To the State Mine Inspectors, for actual expenses incurred in the discharge of their duties, as provided by law, the sum of \$3,000 per annum, of which sum not to exceed \$600 per annum shall be paid to any one inspector.

To the Illinois Free Employment Offices, located in Chicago and Peoria, the following sums:

To the South Side Office, for salary of male clerk, \$800 per annum; for salary of female clerk, \$720 per annum; for salary of stenographer, \$720 per annum; for salary of janitor, \$600 per annum; for rent and general expenses, \$2,000 per annum; for advertising, \$400 per annum; for postage and expressage, \$300 per annum.

To the West Side Office, for salary of clerk, \$800 per annum; for stenographer, \$720 per annum; for janitor, \$600 per annum; for rent and general expenses, \$1700 per annum; for advertising, \$400 per annum; for postage and expressage, \$100 per annum.

To the North Side Office, for salary of clerk, \$800 per annum; for stenographer, \$720 per annum; for janitor, \$600 per annum; for rent and general expenses, \$2,100 per annum; for advertising, \$300 per annum; for postage and expressage, \$300 per annum.

To the Peoria office, for salary of stenographer, \$720 per annum; for rent and general expenses, \$1,400 per annum; for advertising, \$300 per annum; for telephone and toll service, \$75 per annum.

Thirty-sixth—To the Fish Commissioners of the State, the sum of \$7,500 per annum, or so much thereof as may be necessary, to be used by them in pursuance of law; the sum of \$7,500 per annum, or so much thereof as may be necessary for the service and expense of such persons as may be employed by them, including wardens, while performing such service, as no fees are allowed in enforcing laws for protection of fish and relating to fish ways, and for the personal traveling expenses of the commissioners, the sum of \$2,700 per annum, or so much thereof as may be necessary, for the salary of three permanent wardens, under the direction of the fish commissioners in enforcing laws relating to fish and fish ways; the sum of \$5,000 per annum, or so much thereof as may be necessary, for the maintenance and operation of the boat owned by the State and used by the fish commissioners of the State, in collection of fish and enforcement of fish laws.

Thirty-seventh—The sum of \$2,000, or so much thereof as may be necessary, to pay the expenses of the committees of the Forty-fourth General Assembly, such expenses to be certified as may be provided by resolution of either house.

Thirty-eighth—To the Trustees of the Lincoln Homestead, for the salary of a custodian, the sum of \$1,000 per annum; and for repairs and improvements, the sum of \$300 per annum, to be expended by said trustees as provided in the act of 1887 creating said trust; for connecting with heating and lighting plants, \$1,000.

To the trustees of Lincoln Monument, for salary of custodian, the sum of \$1,000 per annum; for fuel, care of grounds and other incidental expenses, \$1,500 per annum; and for printing and distributing 20,000 copies of the history of the monument, the sum of \$500.

Thirty-ninth. To the State Board of Live Stock Commissioners, the following sums are hereby appropriated: For salary of secretary, \$1,800 per annum; to pay the traveling and incidental expenses of the commissioners and secretary, \$3,000 per annum; for salary of assistant secretary, who shall be a stenographer and typewriter, \$1,200 per annum; for salary of messenger, \$720 per annum; for telegraphing, postage, expressage and other incidental expenses of the office, \$1,200 per annum; for per diem and expenses of State Veterinarian, \$3,500 per annum; for salary of chief inspector at Union Stock Yards, Chicago, \$1,800 per annum; for salary of assistant to chief inspector at Union Stock Yards, Chicago, \$1,000 per annum; for salary of clerk at Union Stock Yards, Chicago, \$1,200 per annum; for salary of chief inspector at National Stock Yards, East St. Louis, \$1,200 per annum; for salary of four agents at Union Stock Yards, Chicago, including horse hire, \$6,300 per annum; for salary of one agent at National Stock Yards, East St. Louis, and one agent at Peoria, \$2,000 per annum.

For paying damages for animals diseased or exposed to contagion, slaughtered; for per diem and traveling expenses of assistant State veterinarian and special agents, including any additional clerical help rendered necessary in the office of said board, for property necessarily destroyed or disinfection of premises when such disinfection is practicable under any law of this State for the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, the sum of \$20,000, or so much thereof as may be necessary.

Fortieth. To the Insurance Superintendent, for actuary, \$3,000 per annum; for chief clerk, \$2,500 per annum; for messenger, \$720 per annum; for janitor, \$720 per annum; and for other necessary clerk hire in his office, the sum of \$13,000 per annum; for postage, express charges, telegraphing and other incidental expenses, the sum of \$6,000 per annum; for expenses in attending the annual convention of insurance commissioners, the sum of \$125 per annum; for expenses of examinations and investigation which cannot be collected from the companies or associations examined, \$1,000 per annum, or so much thereof as may be necessary; for all examinations and investigation, such amount for expenses incurred and services of assistants employed, as shall be collected from the companies and associations examined for expenses in the prosecution of violations of the insurance laws, the sum of \$6,000 per annum; and for legal services the sum of \$4,000 per an-

num; and for legal services the sum of \$4,000 per annum; for printing and distributing the reports of the Farmers' Mutual Insurance Companies, the sum of \$500 per annum, or so much thereof as may be necessary; for exchange in safes, \$1,500; for improvements and equipments in actuary's department, \$1,800; for additional filing cases, \$1,500; for repainting departments, \$1,000.

For making valuations of reserves of life insurance companies, the insurance department, with the approval of the Governor, is hereby authorized to use the sums collected for such purposes in the payment of the costs thereof, and include the same in his annual report to the Governor.

Forty-first. To the Illinois State Historical Library, for care, maintenance, purchase of books, manuscript[s,] etc., the sum of \$2,500 per annum; for editing, printing and publishing historical documents, \$1,000 per annum; for salary of assistant librarian, \$900 per annum; for salary of janitor in library, \$720 per annum; and for moving library and furnishing new room, etc., \$5,000.

Forty-second. To the State Factory Inspector, to defray the traveling and other necessary expenses incurred by the inspectors and assistant factory inspectors in the performance of their duties, \$10,000 per annum.

Forty-third. To the Supreme Court reporter, for the expenses of printing in advance the opinions of the Supreme Court, and of distributing printed proofs thereof to the several members of the court, together with the expenses of transmitting such proofs and the original opinions by mail and express, and to make printers' corrections in said proofs after final adoption, the sum of \$750 per annum, payable upon bills of particulars certified to by at least two judges of said said court. To the Supreme Court reporter, for custodian and messenger, the sum of \$720 per annum, payable upon bills of particulars duly certified by him.

Forty-third and one-half. To the State Board of Arbitration for traveling expenses of the members and the secretary, and for postage, stationery, telegraphing, telephoning, expressage, additional clerk hire, office rent and all other necessary expenses, the sum of five thousand dollars (\$5,000) dollars per annum, or as much thereof as may be necessary.

Forty-fourth. To the Board of Pardons, for postage, telegraphing, expressage and other incidental expenses, \$1,500 per annum; for salary of stenographer, the sum of \$720 per annum.

To the parole board, for salary of stenographer, \$180 per annum.

Forty-fifth. To the State Entomologist, for field, office, incidental and library expenses, the sum of \$1,500 per annum; for pay of assistants, the sum of \$2,000 per annum; for the illustration of bulletins and reports, the sum of \$500 per annum; for expenses incurred under the "Act to prevent the introduction and spread in Illinois of the San José scale, and other dangerous insects and contagious diseases of fruits," the sum of \$12,000, or so much thereof as may be

necessary; for the building and equipment of an insectary or experimental laboratory of economic entomology, the sum of \$3,000.

To the State Agricultural Experiment Station, for the publication of bulletins prepared by the State Entomologist, the sum of \$750 per annum.

To the State Laboratory of Natural History, for the expenses of the natural history survey, the sum of \$8,000 per annum; for the supply of natural history specimens to the public schools, the sum of \$500 per annum; for the publication of bulletins and reports, the sum of \$1,000 per annum.

Forty-sixth. To the State Board of Health, for salary of secretary, the sum of \$3,000 per annum; for necessary office expenses, including expenses incurred in attending meetings of the board; for making sanitary investigation, and for the purpose of investigating the cause and preventing the spread of such contagious and infectious diseases as consumption, typhoid fever, diphtheria, scarlet fever, influenza and malarial fevers, the sum of \$5,000 per annum; for chief clerk, \$1,800 per annum; for one clerk, \$1,200 per annum; for two clerks, \$1,000 per annum each; for stenographer and typewriter, \$1,000 per annum; for janitor and messenger, the sum of \$360 per annum.

Also the sum of \$10,000 per annum to be used only with the consent and concurrence of the Governor, on the recommendation and advice of the board, in case of an outbreak, or threatened outbreak or any epidemic of malignant diseases such as small pox, yellow fever, Asiatic cholera and typhus fever, to defray the expenses of preventing the introduction of such diseases, or their spread from place to place within the State; to suppress outbreaks which may occur, and to investigate methods of their prevention; also for special investigation, when required by the sanitary necessities of the State.

Also the sum of \$25,000 for the necessary expenses incurred in the supervision and inspection for [of] lodging houses, boarding houses, taverns, rivers and hotels, in cities of one hundred thousand or more inhabitants.

Forty-seventh.—To the State Food Commissioner, for the salary of first assistant State analyst, \$1,000 per annum; for expenses of inspectors, \$6,000 per annum; for expenses of laboratory for office, \$1,500 per annum; for rent of offices and laboratory, \$2,500 per annum; for postage, \$1,000 per annum; for expense of State Food Commission, \$3,600 per annum, for stenographer, \$720 per annum, for assistant stenographer, \$360 per annum; for assistant clerk, \$480 per annum.

Forty-eighth.—To the State Board of Agriculture, the sum of \$1,000 for the purpose of paying the expenses for the taking down, removing, replacing and refitting the agricultural museum, to be moved from the State House to the arsenal building.

Forty-ninth.—To the Commission of Claims, for the purpose of printing the opinions of the commission since its organization in 1877, and for the distribution of the same, the sum of \$1,500, to be certified to by the Commission of Claims.

Fiftieth.—To the University of Illinois, for the payment of interest on the endowment funds of said university, as provided by section 2 of the act relating to said university, approved June 11, 1897, for the years 1903 and 1904, the sum of sixty-four thousand dollars (\$64,000), or as much thereof as may be necessary under the terms of said act, and for arrears of interest for the year ending January 1, 1903, seven hundred and twenty-five dollars and thirteen cents (\$725.13.)

Fifty-first.—To the Secretary of State, for the purchase and setting of a marble statue of the [late] Stephen A. Douglas in the State House at Springfield, the sum of \$2,500, or so much thereof as may be necessary.

Fifty-second.—The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for all sums herein appropriated for the pay of clerks, secretaries, porters, messengers, janitors, watchmen, policemen, laborers, engineers, firemen, stenographers, curators, librarians and other employes, when not otherwise provided for by law, to be paid on monthly pay rolls duly certified to, respectively, by the heads of departments, or by boards of commissioners and trustees requiring the services of such employes; and for all other appropriations specified herein, warrants on the State Treasurer shall, when not otherwise provided by law, be drawn only on itemized bills, accompanied by receipted vouchers, showing the expenditure of moneys named in the itemized bills, except for expenditures for railroad or street car fare. In cases of expenditures for railroad fares, the itemized bills must show from what point to what point traveled, and the amount paid for the same; said itemized bills to be certified to by the heads of departments; all expenditures by boards of commissioners and trustees appointed by the Governor, or their employes, to be certified to by said boards and approved by the Governor, all expenditures by boards of commissioners and trustees provided for by law, to be certified to by the said boards of commissioners and trustees, respectively.

The Auditor is hereby authorized, and it is made his duty, to refuse any warrant or warrants, when any of the provisions of this act are not strictly complied with.

APPROVED May 16, 1903.

SWEDEN AND FINLAND—RELIEF OF DESTITUTION.

§ 1. Appropriates \$5,000.

§ 2. Governor to appoint commission.

§ 3. How drawn and to whom paid.

§ 4. Emergency.

Approved March 4, 1903.

AN ACT for the relief of the destitute people in Northern Sweden and Finland.

WHEREAS, The total failure of crops in Northern Sweden and Finland has produced wide spread suffering and destitution far beyond the ability of the residents of those countries to alleviate.

SECTION 1. *Therefore, be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand dollars be, and the same is hereby, appropriated out of any money in the State Treasury not otherwise appropriated, for the relief of the suffering and destitute families of Northern Sweden and Finland.

§ 2. The Governor of the State of Illinois is hereby authorized to appoint a commission of three persons who shall serve without compensation to receive from the State Treasurer and pay over to the proper authorities in Northern Sweden and Finland for distribution to the suffering families, the moneys hereby appropriated.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrant for the sum of five thousand dollars payable to the commission so appointed by the Governor, and the Treasurer of the State is hereby directed to pay the same to the said commission, and the said commission is hereby authorized and directed to pay said money to such authorities of Northern Sweden and Finland as may be authorized to receive and distribute moneys for charitable purposes, and the same shall be received and distributed to the suffering and destitute families of those countries.

§ 4. WHEREAS, The suffering is great and immediate aid is necessary, therefore, an emergency exists, and this act shall be in force and effect from and after its passage.

APPROVED March 4, 1903.

WILLARD, FRANCES E.—STATUE.

§ 1. Governor to appoint commissioners.

§ 2. Commissioners to receive no pay.

§ 3 Appropriates \$9,000.

Approved April 16, 1903.

WHEREAS, The Legislature of 1899 appropriated the sum of nine thousand (9,000) dollars to place a life sized statue of Frances E. Willard in the Statuary Hall in the National Capitol at Washington, D. C.; and,

WHEREAS, The commissioners who were appointed under said act could not meet the conditions under which said appropriation was

payable out of the State treasury before the expiration of the first fiscal quarter after the adjournment of said Legislature, and hence said appropriation lapsed; now, therefore,

In order to immortalize as far as the same may be done in marble the life of Frances E. Willard, and to show all nations how exalted a sphere woman occupies in this great State, the following law is hereby placed upon the statute books:

AN ACT to select commissioners to expend not to exceed nine thousand (9,000) dollars in purchasing a life-sized marble or bronze statue of the late Frances E. Willard, and to provide a pedestal or base therefor, the statue and pedestal to be appropriately inscribed and ornamented, and also to defray the expense of transporting the same to Washington, D. C., when completed, and erecting it in the National Statuary Hall, at Washington, D. C.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That five persons be selected by the Governor of the State, be and they are hereby authorized and empowered as commissioners, to purchase a life-sized statue of the late Frances E. Willard, in marble or bronze, and a pedestal or base for the same and to also defray the cost and expenses of transporting them, when completed, to Washington, D. C., and erecting them in the National Statuary Hall, at the Capitol; said commissioners shall not hereby be empowered to obligate the State of Illinois to pay any amount in excess of the sum stated in section 3 of this act.

§ 2. Said commissioners are to receive no pay or compensation at any time for their services in the fulfillment of duties required of them by this act.

§ 3. For the purpose of defraying the cost of said statue, pedestal and all other costs and obligations hereinbefore stated and set forth or incident thereto, the sum of nine thousand (9,000) dollars or so much thereof as may be necessary, is hereby appropriated out of the State treasury, and the Auditor of Public Accounts is hereby required to draw his warrant on the Treasurer of the State for such sum as may be expended upon bills of particulars to be approved by the Governor.

APPROVED April 16, 1903.

ARBITRATIONS AND AWARDS.

BOARD OF ARBITRATION.

§ 1. Amends section 1, act of 1895.

§ 1. State board — appointment —
qualifications of members—
oath—organization—secretary
—salary.

§ 2. Emergency.

Approved May 15, 1903.

AN ACT to amend section 1 of an act entitled "An act to create a State Board of Arbitration for the investigation or settlement of differences between employers and their employes, and to define the powers and duties of said board," approved and in force August 2, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 1 of an act entitled "An act to create a State Board of Arbitration for the investigation or settlement of differences between employers and their employes, and to define the powers and duties of said board," approved and in force August 2, 1895, be, and the same is hereby, amended so as to read as follows:

SECTION 1. As soon as this act shall take effect, the Governor, by and with the advice and consent of the Senate, shall appoint three persons, not more than two of whom shall belong to the same political party, who shall be styled a "State Board of Arbitration," to serve as a State board of arbitration and conciliation; one and only one of whom shall be an employer of labor, and only one of whom shall be an employé, and shall be selected from some labor organization. They shall hold office until March 1, 1897, or until their successors are appointed, but said board shall have no power to act as such until they and each of them are confirmed by the Senate. On the first day of March, 1897, the Governor, with the advice and consent of the Senate, shall appoint three persons as members of said board in the same manner above provided, one to serve for one year, one for two years, and one for three years, or until their respective successors are appointed, and on the first day of March in each year thereafter, the Governor shall in the same manner appoint one member of said board to succeed the member whose term expires, and to serve for the term of three years or until his successor is appointed. If a vacancy occurs at any time, the Governor shall in the same manner appoint some one to serve out the unexpired term. Each member of said board shall, before entering upon the duties of his office, be sworn to a faithful discharge thereof. The board shall at once organize by the choice of one of their number as chairman, and they shall, as soon as possible after such organization, establish suitable rules of procedure. The board shall have power to select and remove a secretary, who shall be a stenographer, and whose salary shall be \$2,500 per annum, payable out of the State treasury, upon the warrant of

the Auditor of Public Accounts, from any money not otherwise appropriated; said secretary to receive also his necessary traveling and other expenses, to be paid from the State treasury on bills of particulars to be approved by the chairman of the board and the Governor.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after the date of its passage and approval.

APPROVED May 15, 1903.

ATTORNEY GENERAL AND STATES' ATTORNEYS.

PRIVATE FEE FOR PUBLIC SERVICE PROHIBITED.

§ 1. Amends section 6a, act of 1874.

Approved May 15, 1903.

§ 6a. State's attorney prohibited from certain fees and certain employments.

AN ACT to amend an act entitled, "*An act in regard to Attorneys General and State's Attorneys*," approved March 26, 1874, in force July 1, 1874, by adding thereto a new section, to be known as section 6a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* An act entitled, "*An act in regard to Attorneys General and State's attorneys*," approved March 26, 1874, in force July 1, 1874, hereby is amended by inserting therein a new section, as follows:

§ 6a. The State's attorney shall not receive any fee or reward from, or in behalf of any private person for any services within his official duties, and shall not be retained or employed, except for the public, in a civil case depending upon the same state of facts on which a criminal prosecution shall depend.

APPROVED May 15, 1903.

BONDS.

REFUNDING OF SURPLUS FUNDS.

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| <p>§ 1. Bond barred by statute of limitations.</p> <p>§ 2. Bonds matured — decrees cancelling same — appeal taken within six months.</p> | <p>§ 3. Proceedings conducted according to practice in courts of chancery.</p> <p>Approved May 15, 1903.</p> |
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AN ACT making provision for the refunding of surplus funds in the State treasury to the credit of the bond funds of counties, townships, cities, towns, school districts and other municipal corporations having bonds registered in the office of the Auditor of Public Accounts, when such bonds have become barred by the statute of limitations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any bonds issued by any county, township, city, town, school district or other municipal corporation, registered in pursuance of law in the office of the Auditor of Public Accounts, have been barred by the statute of limitations, and a decree that they have been so barred has been rendered by any court of this State having chancery jurisdiction in the manner hereinafter provided, and there remains in the State treasury a balance of funds to the credit of the bond fund of such county, township, city, town, school district, or other municipal corporation, and there are no other valid bonds issued by such county, township, city, town, school district, or other municipal corporation registered in the office of the Auditor of Public Accounts in pursuance of law to which said balance of funds may be applied, it shall be the duty of the Auditor, on receipt of a duly certified copy of such decree, to draw his warrant upon the State Treasurer for the amount of such balance, in favor of such county, township, city, town, school district, or other municipal corporation, and it shall be the duty of the State Treasurer to pay such warrant out of the proper fund.

§ 2. Whenever any bonds mentioned in the foregoing section have matured and have not been presented for payment after their maturity within the period fixed by the statute of limitation in force at the time they were issued, limiting the time in which action might be commenced on promissory notes or other evidences of indebtedness in writing, the county, township, city, town, school district or other municipal corporation, by which such bonds were issued, may in its corporate name, file a bill in any court of chancery against the owners or holders of such bonds, if known, and if not known, against the unknown holders or owners thereof specifically describing such bonds, and stating that the period of limitations has run against them since their maturity, and praying that such bonds may be cancelled and any action thereon forever barred, and upon proof thereof, the court shall enter a decree cancelling same in accordance with the prayer of

the bill. If no appeal is taken and no writ of error prosecuted within six months, such decree shall become final, and thereafter no appeal shall be taken and no writ of error prosecuted.

§ 3. The defendant in such proceeding shall be served or notified in the same manner as defendants in chancery cases are required to be served or notified, and such proceedings shall be conducted according to the practice in courts of chancery.

APPROVED May 15, 1903.

CANADA THISTLES.

COMMISSIONER OF CANADA THISTLES AND NOXIOUS WEEDS.

§ 1. Adds sections 10, 11, 12, 13, 14 and 15 to act of 1872.

10. What county boards may appoint commissioners—complaint—notice.

11. Commissioner may remove noxious weeds—report—fees—objections of owner—remedy.

§ 12. Commissioner's certificates—issue—payment.

§ 13. Salary of commissioner.

§ 14. Certain weeds declared a nuisance.

§ 15. Repeal.

Approved May 13, 1903.

AN ACT to amend "An act concerning Canada thistles, approved and in force March 15, 1872," as amended by an act of June 27, 1885, also by adding the following sections: "10, 11, 12, 13, 14, and 15," declaring certain weeds nuisances, and providing for their destruction by county boards in counties where boards of town auditors of two or more townships have been consolidated or abolished.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "An act concerning Canada thistles, approved and in force March 15, 1872, as amended by act of June 27, 1885," as amended by an act entitled "An act to amend section 3 of an act entitled 'An act concerning Canada thistles,' approved and in force March 15, 1872, and to amend said act by providing for the appointment of a commissioner, by county boards where the town authorities fail or refuse to do the same," be, and the same is hereby, amended by the addition of the following sections, which shall be numbered, respectively, as sections 10, 11, 12, 13, 14, and 15, of "An act concerning Canada thistles," approved and in force March 15, 1872:

§ 10. The county boards, in counties where two or more boards of town auditors have been or hereafter shall be abolished, and their duties transferred to other bodies, are hereby empowered to, and shall appoint a commissioner of Canada thistles and noxious weeds for all of the township territory whereof the boards of town auditors have been or shall be abolished, and such commissioner shall be a

county officer; he shall diligently inquire concerning the existence within the territory, for which he shall have been appointed, of any and all noxious weeds which are, or shall be hereafter, by any competent authority, have been declared to be a nuisance; and if any are found growing on lands within such territory, he shall make, and file in the office of the county clerk, a complaint in writing, setting forth the existence of such noxious weeds and nuisance, and describing the property thus infected, and directing the owner, if known, or the unknown owner or unknown owners, if after diligent effort by him to ascertain the name or names of such owners they be unknown to him, to remove the same within fifteen days from the filing of such complaint, under penalty of having the work performed under the supervision of the commissioner of Canada thistles and noxious weeds at the expense of the property as herein provided. And the commissioner shall, within five days from the filing of such complaint, mail a notice, wherever possible, to the owner, or owners, or agent of such infected land or lands advising him or them of such complaint, and of the substance of its contents. But the sending or receipt of such notice shall not be necessary to the validity of the acts and duties herein imposed upon the commissioner.

§ 11. If, at the expiration of fifteen days from the filing of such complaint with the county clerk, such nuisances or noxious weeds shall not have been removed, and the commissioner notified thereof, it shall be the duty of said commissioner to cause same to be removed or destroyed in such manner as he shall deem best, and to report in writing the cost and expense of so doing to the county clerk, certifying the verity of his said report, by affidavit. Such report may contain one or more lots or tracts of land, either of the same or different owners, and each lot or tract of land shall bear its *pro rata* share of the incidental expenses and compensation of the commissioner; but such commissioner shall not have power to expend in work or material more than fifty cents (50c) on any one infected city lot, nor more than five dollars (\$5) on any one acre of unsubdivided land in any one year, without first securing the consent in writing of the owner, or of the county board. If any land owner shall feel aggrieved, by reason of the charge certified against his property, he may file an objection in writing, to that part of said report which aggrieves him, with the county clerk at any time within twenty (20) days from the time of filing of said report. After the expiration of said twenty (20) days, the county clerk shall forward said report, as well any objections which shall have been filed thereto, if any, to the board of county commissioners, which body shall consider and audit same. An objector may appeal from the action of the county board upon his objection to the county court, in the same manner that appeals are taken from justices of the peace; and the commissioner, in his relation to the people, shall have the like power to appeal. Such report, or such part thereof as shall not have been objected to, when audited and approved, and the balance when audited and approved, shall be forwarded to the county clerk, whose duty it is hereby made, to levy the costs and charges therein certified and approved against

the various lots and tracts of land upon the tax records of the county, to be collected in the same manner that taxes of the county are levied and collected, and, when collected, shall be paid out upon the order of the commissioner, as hereinafter provided.

§ 12. The commissioner of Canada thistles and noxious weeds shall issue to the parties entitled thereto, for materials furnished, and work and labor performed, certificates under his hand and seal, which shall be approved by the board of county commissioners and countersigned by the president of said board, and which shall be orders upon the county treasurer for the moneys collected as above provided, and the county treasurer shall pay out the moneys collected as above provided, upon certificates aforesaid. And to aid in the performance of the work herein provided to be done by the removal and destruction of such nuisances, the board of county commissioners may authorize the county comptroller to purchase said certificates with money out of the general or contingent fund, or with any fund available, holding said certificates as part of said fund until redeemed or paid by the county treasurer after collection, when the money so advanced by the comptroller shall be paid back into said fund. And the commissioner of Canada thistles and noxious weeds may collect from, and give full acquittance for, to any land owner the money due by said land owner at any time before such expense shall have become a lien upon such property.

§ 13. The commissioner appointed hereunder shall receive as his compensation five dollars (\$5) for each day necessarily spent in the discharge of his duties; and he shall give a fidelity bond in such penal sum as may be required by the board of county commissioners.

§ 14. The weeds commonly known and called Canada thistles, poison ivy, Russian thistles, cockle-burr and burdock weeds, are each, hereby, declared to be a nuisance.

§ 15. All acts and parts of acts in conflict herewith are hereby repealed.

APPROVED May 13, 1903.

CEMETERIES.

ORGANIZATION AND CONTROL OF CEMETERY ASSOCIATIONS.

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| <p>§ 1. Six persons may organize association.</p> <p>§ 2. Organization—petition—certificate.</p> <p>§ 3. Recording certificate.</p> <p>§ 4. Trustees—election—officers—terms of office—vacancies—appointment by county judge.</p> <p>§ 5. Right to acquire property, real or personal.</p> <p>§ 6. Platting site—recording plat—sale of lots—conveyances.</p> <p>§ 7. Treasurer of association may loan money—security approved by board.</p> <p>§ 8. Officers shall serve without compensation—secretary may receive salary.</p> | <p>§ 9. Dividends prohibited—use of funds.</p> <p>§ 10. Trustees triennial report to county judge—failure to make correct report—penalty.</p> <p>§ 11. Removal of officer for misconduct.</p> <p>§ 12. Trustees may make rules and regulations.</p> <p>§ 13. Merging of associations.</p> <p>§ 14. Property of association exempt from taxation.</p> |
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Approved May 14, 1903.

AN ACT to provide for the organization, ownership, management and control of cemetery associations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any six (6) or more persons may organize a cemetery association, to be owned, managed and controlled in the manner hereinafter provided.

§ 2. Whenever six (6) or more persons shall present to the Secretary of State a petition setting forth that they desire to organize a cemetery association under this act, to be located in (here insert the county), and that said cemetery association shall be known by the name and style of (here insert the name of the association), that the Secretary of State shall issue to such persons and their successors in trust, a certificate of organization, which said certificate of organization shall be in perpetuity and in trust for the use and benefit of all persons who may acquire burial lots in said cemetery.

§ 3. That said persons so receiving said certificate of organization shall cause the same to be recorded in the recorder's office of the county in which said cemetery association is organized, and when so recorded, said association shall be deemed fully organized as a body corporate under the name adopted, and in its corporate name may sue and be sued.

§ 4. That said persons so receiving said certificate of organization of said association shall proceed to elect from their own number a board of trustees for said association, which said board shall consist of not less than six (6) nor more than ten (10) members, as said persons so receiving said certificate may determine; that said trustees when elected shall immediately organize by electing from their own

membership a president, vice-president and treasurer, and shall also elect a secretary, who may or may not be a member of said board of trustees, in their discretion, which said officers shall hold their respective offices for and during the period of one (1) year, and until their successors are duly elected and qualified. Said trustees when so elected shall divide themselves by lot into two classes, the first of which shall hold their offices for and during the period of three (3) years, and the second of which shall hold their offices for and during the period of six (6) years, and that thereafter the term of office of said trustees shall be six (6) years, and that upon the expiration of the term of office of any of said trustees, or in case of the resignation or death or removal from said county of any of said trustees, or their removal from office as provided in this act, the remaining trustees, or a majority of them, shall notify the county judge of the county in which said cemetery is situated, of such vacancy or vacancies in writing, and thereupon said county judge shall appoint some suitable person or persons, residing within five (5) miles of said cemetery to fill such vacancy or vacancies; and that thereafter said trustees shall always be appointed by the county judge of the county in which said cemetery association is located, and shall be selected from suitable persons residing within five (5) miles of said cemetery or some part thereof.

§ 5. Any such cemetery association, when so organized, shall have the right, and the same is hereby expressly given to such association, to acquire the necessary amount of land for the use of said cemetery association, which said land may be acquired by purchase or by gift; and said association is hereby authorized to receive by gift, devise, or bequest any property, either real, personal or mixed, which may be donated to such association, and to hold and keep inviolate any such property for the uses of said cemetery association.

§ 6. Said cemetery association, when so organized, may divide and lay out into lots, any real estate which it may acquire, which said lots shall be of suitable size for burial lots, and when any such land is laid out into lots as herein provided, a plat of the same shall be made and recorded in the recorder's office of the county in which said cemetery association is located; and said cemetery association shall have the right to sell to any person or persons a lot or lots in said cemetery for burial purposes only, and to convey to such person or persons said lot by a proper deed of conveyance.

§ 7. The treasurer of said cemetery association shall, from time to time, loan any money which said association may have, and which is not needed for the immediate use of said association, taking proper security therefor, and which said loan and the security for the same shall, before the same becomes effective, be approved by said board of trustees of said cemetery association.

§ 8. No officer or trustee of said cemetery association shall receive any compensation of any kind for any services rendered by

him in behalf of said association, except the secretary of said association, who may receive such salary as may be fixed by the board of trustees.

§ 9. No dividends shall be declared or paid to any officer or other person from the funds of said cemetery association, but the same shall be kept inviolate, and to be used only for purposes of said association and the care, preservation and ornamentation of said cemetery.

§ 10. The said board of trustees shall once in every three years, and oftener if required by the court, make full and complete report of the money and other property received by said association, and of the expenses of said association, and of the loans of money existing at the time of the making of such report, to the county judge of the county in which said association is located, and if said report is found by said county judge to be true and correct, he shall approve the same, and direct the clerk of the county court to record the same in the records of said court. But if the said county judge shall disapprove of said report, he shall order said board of trustees to make true and correct report, and upon a failure of said board of trustees to make true and correct report, or to properly account for any and all money which may have come into their hands for the use of said association, then said county judge, by his written order, shall direct the State's attorney in and for said county to institute suit in any court of competent jurisdiction against said trustees, or such of them as are responsible for any misappropriation or wrongful use of said funds, in the name of the People of the State of Illinois, for the use of said association to recover from such trustees, so responsible for such misappropriation or wrongful use of said money of said association, the amount of money so misappropriated or wrongfully used, and it is hereby made the duty of such State's attorney, when so directed by said county court, to institute and prosecute such suit to final judgment.

§ 11. For misconduct in office, any of said trustees of said cemetery association may be removed from office by order of the county judge of the county in which said association is situated.

§ 12. Said board of trustees of said cemetery association may make any and all rules and regulations for the management of said association not inconsistent with this act, and may require that the treasurer of said association shall give bond for the safe keeping of any money and other property that may come into his hands as such treasurer.

§ 13. Any cemetery association existing at the time of the passage of this act, or which may hereafter be organized, may, if it shall so desire, convey to any cemetery association organized under this act, the property of said association by a proper deed of conveyance, and thereafter, said cemetery shall be under the control, management and ownership of the association organized under this act, to which such transfer is made.

§ 14. The property, both real and personal, of any association organized under this act, shall be forever exempt from taxation for any and all purposes.

APPROVED May 14, 1903.

CHARITIES.

DEAF AND DUMB, INSTITUTION FOR—CHANGE OF NAME.

§ 1. Amends section 1, act of 1875, and changes name to "Illinois School for Deaf."

Approved May 16, 1903.

AN ACT to amend section one (1) of an act entitled "*An act to regulate the State charitable institutions, and the State Reform School and to improve their organization, and to increase their efficiency,*" approved April 15, 1875, in force July 1, 1875.

SECTION 1. CHANGE OF NAME.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an act entitled "*An act to regulate the State charitable institutions, and the State Reform School and to improve their organization, and to increase their efficiency,*" approved April 15, 1875, in force July 1, 1875, be, and hereby, is amended, so that the name and title of "The Illinois Institution for the Education of the Deaf and Dumb," at Jacksonville, shall be "Illinois School for the Deaf," and under this name and title the school herein named shall have, possess, be seized of and exercise all rights, privileges, franchises and estates which have hitherto belonged to, or may hereafter inure to the institution named in this act.

APPROVED May 16, 1903.

SOLDIERS' AND SAILORS' HOME.

§ 1. Amends act of 1885.

§ 3a. Wives of inmates eligible to admission—erection of cottages by counties.

§ 3b. Provision as to pensioners.

§ 3c. Wives of inmates not receiving pensions.

§ 3d. Provisions as to widows of deceased inmates.

Approved May 13, 1903.

AN ACT to amend an act entitled "*An act to establish and maintain a soldiers' and sailors' home in the State of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings,*" approved June 26, 1885, in force July 1, 1885, by adding thereto four sections, to be known as section 3a, section 3b, section 3c and section 3d respectively.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled "*An act to establish and maintain a soldiers' and sailors' home in the State*

of Illinois, and making an appropriation for the purchase of land and the construction of the necessary buildings," approved June 26, 1885, in force July 1, 1885, be, and the same is hereby, amended by adding thereto four sections, to be known as section 3a, section 3b, section 3c and section 3d respectively, as follows:

§ 3a. When any person who has been a soldier or a sailor is an inmate, or becomes an inmate of the Soldiers' and Sailors' Home at Quincy, the wife of such soldier or sailor shall be admitted as an inmate of said home, subject to the rules and regulations adopted by the trustees of said home, to govern the admission of applicants: *Provided*, said wife and said soldier or sailor were married prior to January 1, 1880, and when said wife shall be of the age of 60 years or older: *Provided*, the board of supervisors or county commissioners in each county of this State is hereby authorized to make appropriations of money out of the general funds of such county for the purpose of erecting a cottage or cottages, or joining with other counties to erect a cottage upon the grounds of said home, and buildings so erected shall always be for the use of soldiers and their wives, who are inmates of said home from such county; said buildings to be built under the rules and regulations of the board of trustees of said Soldiers' and Sailors' Home in the State of Illinois.

§ 3b. Every pensioner residing in said home and accepting its benefits, and whose wife also resides therein and accepts its benefits, shall deposit with the superintendent of said home his pension money on receipt of his pension check, and said pension money, or so much thereof as may be necessary, shall be used, under the direction and supervision of said superintendent, for the purpose of clothing said wife.

§ 3c. If the husband of any female inmate of said home does not receive a pension, the clothing for said female shall be furnished by the State of Illinois.

§ 3d. Upon the death of any soldier or sailor, who is or may be an inmate of said home, the widow of such soldier or sailor shall be transferred to, and be received into the Soldiers' Widows' Home at Wilmington, if she so desires, and she shall not remain in said Soldiers' and Sailors' Home more than thirty days after the death of her husband.

APPROVED May 13, 1903.

CITIES, TOWNS AND VILLAGES.

CERTAIN ELECTIONS LEGALIZED.

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| § 1. Elections to incorporate under general law—informalities cured—remedy. | § 2. Emergency.
Approved May 15, 1903.] |
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AN ACT to legalize certain elections held under "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any city, town or village, since the amendment of section 1 article 1 of chapter 24 of the revised statutes, approved February 26, 1881, has held an election to incorporate as a village or city under the general law, and such election has been held on some other day than the days in said section 1 of said statute provided, or if the returns of any election heretofore held to incorporate any city or village under the general law, have not been entered upon the records of such city or village or the county court, showing the canvass of votes and the result of such election, and a certified copy of such records filed and recorded in the office of the recorder of deeds in the county in which such city or village is situated, and filed in the office of the Secretary of State; such election, so held by any such village, city or town, if in other respects in compliance with the law, are hereby declared legal and valid: *Provided*, such returns of such elections are now, or shall be made within three months from the date upon which this act becomes effective, and certified copies of the same filed and recorded as required in section 13 of the act, to which this bill refers, and all elections of officers and organizations of any cities or villages in the State, under and by virtue of any such elections, if otherwise according to law, are hereby legalized and made effective, and all the acts of any such cities or villages, if otherwise legal, are also hereby made valid and binding.

§ 2. WHEREAS, The election for city and village officers under said statute will occur on the third Tuesday of April, wherefore, an emergency exists, therefore this act shall be in force from and after its passage.

APPROVED May 15, 1903.

ELEVATORS—REGULATION AND CONTROL OF.

§ 1. Municipal authorities may require operators to be licensed.

§ 2. Examinations provided for.
Approved May 13, 1903.

AN ACT to insure better protection of the public from accidents arising out of elevator service.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the city council in cities and the board of trustees in towns and villages, shall have the power to adopt ordinances within their respective limits to provide for the examining, licensing, and regulation of persons having charge or control as starters or operators of all freight and passenger elevators run by hydraulic, electric, steam, water balance, compressed air or any other motive power, and to fix the amount of charges, terms and manner of issuing and revoking licenses to such persons; and to provide that it shall not be lawful for any person or persons to exercise, within the limits of the respective cities, towns and villages which may adopt such ordinance, the business of operating freight or passenger elevators, or the business of controlling the running of such elevators as starters or operators, without a license: and, to provide that any person violating the provisions of such ordinance shall be liable to a penalty for each breach thereof.

§ 2. Such cities, towns and villages so adopting such ordinances shall have power to require that all persons engaged in such occupation within their jurisdiction shall be of a certain age, and shall submit to an examination by a competent examiner, who shall be a practical and experienced elevator starter or operator, or board of such examiners to be appointed by the mayor or president of the board of trustees of such cities, towns and villages touching their competency and qualifications in regard to such occupation, with power to such examiner or board of examiners to license such persons as may be found capable and trustworthy in that behalf.

APPROVED May 13, 1903.

FIRE AND POLICE COMMISSIONERS.

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| <p>§ 1. Mayor may appoint fire and police commissioners in certain cities.</p> <p>§ 2. Appointment of commissioners—term of office.</p> <p>§ 3. Qualifications.</p> <p>§ 4. Powers and duties of board.</p> <p>§ 5. Board shall make rules for administration of act.</p> <p>§ 6. Rules of board shall be published.</p> <p>§ 7. Examination for positions in police and fire departments.</p> <p>§ 8. Notice of examinations shall be published.</p> <p>§ 9. Register shall be kept of applicants passing a successful examination—appointments from list.</p> <p>§ 10. Promotions—how made.</p> | <p>§ 11. Temporary appointments may be made.</p> <p>§ 12. Removals for cause only—charges, investigations, etc.</p> <p>§ 13. Board shall make annual report to mayor.</p> <p>§ 14. Secretary to board authorized.</p> <p>§ 15. Board shall be non-partisan.</p> <p>§ 16. Rooms shall be provided for board by council.</p> <p>§ 17. Compensation of secretary and members.</p> <p>§ 18. Appeals from order of board.</p> <p>§ 19. Adoption of act by cities.</p> <p>§ 20. Emergency.</p> <p>Approved April 2, 1903.</p> |
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AN ACT to provide for the appointment of a board of fire and police commissioners in all cities of this State having a population of not less than seven thousand nor more than one hundred thousand, and prescribing the powers and duties of such board.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* In every city in this State having a population of not less than seven thousand (7,000) nor more than one hundred thousand (100,000), there shall be appointed by the mayor, by and with the consent of the city council, a board of fire and police commissioners, consisting of three members, whose term of office shall be three years and until their respective successors shall be appointed and qualified except as hereinafter provided. *Provided*, no such appointment shall be made by any such mayor within thirty (30) days before the expiration of his term of office.

§ 2. The first appointments under this act shall be made within thirty days after the mayor chosen at the election by which this bill may be approved, shall have assumed the duties of his office. One of the members shall be then appointed to serve until the end of the then current municipal year, another to serve until the end of the municipal year next ensuing, and the third to serve until the end of the municipal year second next ensuing: *Provided*, that each of said members shall serve until his successor is appointed and qualified.

§ 3. The members of said board shall possess the qualifications required of other officers of the city, shall take oath (or affirmation) of office and give bond in the same manner as other appointive officers of the city, and shall be subject to removal from office as such other officers.

§ 4. Such board of fire and police commissioners shall appoint all officers and members of the fire and police department of such city: *Provided*, that all appointments to such department other than that of the lowest rank, shall be from the rank next below [that] to which the appointment shall be made. This act shall not include volunteer fire departments.

§ 5. Such board of commissioners shall make rules to carry out the purpose of this act, and for appointments and removals in accordance with its provisions, and the board may, from time to time, make changes in such rules.

§ 6. All such rules and changes therein shall be forthwith printed for distribution, and such board shall give notice of the place or places where such printed rules may be obtained, by publication in the official paper of the city, if there be one, and if there be no official paper, then in a newspaper published in such city. In such publication shall be specified the date, not less than ten days subsequent to the time of such publication, when such rules shall go into operation.

§ 7. All applicants for position in the fire and police department, of such city shall be subjected to examination, which shall be public, competitive and free to all persons possessing the right of suffrage in such city, subject to reasonable limitations as to residence, age, health, habits and moral character. Such examinations shall be practical in their character, and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed, and shall include tests of physical qualifications and health; but no such applicant shall be examined concerning his political or religious opinions or affiliations. Such examinations shall be conducted by said board of fire and police commissioners.

§ 8. Notice of the time and place of every examination shall be given by the board by publication for two weeks preceding such examination, in the official paper of such city, and such notice shall also be posted in a conspicuous place in the office of said board for two weeks previous to such examination. If there be no official paper of such city, such publication may be made in any newspaper of general circulation published in such city.

§ 9. The board of fire and police commissioners shall prepare and keep a register of persons whose general average standing, upon examination, is not less than the minimum fixed by the rules of such board, and who are otherwise eligible, and such persons shall take rank upon the register as candidates in the order of their relative excellence, as determined by examination, without reference to priority of time of examination.

§ 10. Such board of fire and police commissioners shall, by its rules, provide for promotion in the said department on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases, where it is practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be com-

petitive among such members of the next lower rank as desire to submit themselves to such examination, and all promotions shall be made from the three having the highest rating. The method of examination and the rules governing the same shall be the same as provided for applicants for original appointment.

§ 11. Said board may, in order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the police or fire department, make temporary appointment, to remain in force until regular appointments may be made under the provisions of this act, and not in any event to exceed sixty days.

§ 12. No officer or member of the fire or police department of any such city, who shall have been such for more than one year prior to the passage of this act, or who shall have been appointed under the rules and examination provided for by this act, shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Such charges shall be investigated by such board of fire and police commissioners, and in case such officer or member be found guilty, such board may remove or discharge him, or may suspend him not exceeding ten days without pay. Said board of fire and police commissioners may suspend any officer pending such investigation, but not to exceed thirty days at any one time. In the conduct of such investigation each member of said board shall have power to administer oaths and affirmations, and said board shall have power to secure by its subpoena both the attendance and testimony of witnesses and the production of books and papers relevant to such investigation.

§ 13. Such board of commissioners shall annually, at such time as the city council may provide, make to the mayor, to be by him transmitted to the city council, a report of its actings and doings, the rules in force and the practical effect thereof, and may in such report make such suggestions as such board believe will result in the greater efficiency of such departments.

§ 14. Such board may employ a secretary, or may designate one of its own members to act as such. He, as such secretary, shall keep the minutes of its proceedings, shall be the custodian of all papers pertaining to the business of such board, keep a record of all examinations held and shall perform such other duties as such board shall prescribe.

§ 15. No person holding any lucrative office under the United States, or this State, or any municipality, shall be a member of such board, and the acceptance of such office by any such member shall be deemed and held as a resignation of his office by such member. Not more than two members of such board shall belong to or be members of the same political party.

§ 16. The city council shall provide suitable rooms for such board of fire and police commissioners, and shall allow all reasonable use of public buildings for holding examinations by such board.

§ 17. The secretary shall be paid a reasonable compensation for his services, to be fixed by the city council. The city council shall also fix the compensation to be paid to the members of said board, but until the city council shall make provision therefor, the members of said board shall serve without compensation.

§ 18. An appeal may be taken from an order of such board by any person interested or affected hereby, to the circuit court of the county in which said city may be located, by such person filing with the secretary of said board a bond with sufficient surety in the sum of one hundred dollars, conditioned that he will pay the costs of such appeal in case they should be adjudged against him, and by paying to said secretary the necessary fee for entering such appeal in such circuit court within ten days after the entry of such order. The secretary shall forthwith transmit to the circuit court a complete transcript of all matters and proceedings concerning the order appealed from, and the docket fee so deposited.

§ 19. The electors of any city, of the population herein described, may adopt the provisions of this act in the following manner: Whenever the legal voters of said city equal in number to twenty per cent of the legal votes cast at the last general city election shall petition the city clerk, or the officer or officers whose duty it is to prepare the ballots, to submit the proposition as to whether such city shall adopt the provisions of this act, then it shall be the duty of such officer or officers to submit such proposition accordingly at the next succeeding regular city election, and if such proposition be not adopted at such election, the same may in like manner be submitted to any regular city election thereafter.

The proposition so to be voted for shall be prepared and provided for that purpose in the same manner as other ballots, and shall be substantially in the following form:

For the adoption of the provisions of an act to provide for the appointment of a Board of Fire and Police Commissioners in all cities of this State having a population of not less than 7,000 and not more than 100,000, and prescribing the powers and duties of such board.	YES	
	NO	

If a majority of the votes cast in said city at said election shall be for such proposition, then this act shall be declared adopted and in force in such city.

§ 20. WHEREAS, An emergency exists for the immediate taking effect of this act, it shall be in force from and after its passage.

APPROVED April 2, 1903.

LOCAL IMPROVEMENTS—PETITION AND ORDINANCE.

§ 1. Amends section 4, act of 1897.

Approved May 11, 1903.

§ 4. Ordinance for local improvements—adoption of ordinance in cities between 50,000 and 20,000.

AN ACT to amend section 4 an act entitled, "*An act concerning local improvements,*" approved June 14, 1897, as amended April 19, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 4 of an act entitled, "*An act concerning local improvements,*" approved June 14, 1897, and amended April 19, 1899, be, and the same is hereby, amended so as to read as follows:

§ 4. When any such city, town or village shall, by ordinance provide for the making of any local improvement, it shall, by the same ordinance, prescribe whether the same shall be made by special assessment, or by special taxation of contiguous property, or general taxation, or both. But in cities, towns or villages, having a population of less than fifty thousand and more than twenty thousand, ascertained as aforesaid, no ordinance for making any local improvement to be paid by special assessment or by special taxation of contiguous property, shall be adopted, unless the owners of one-half of the property abutting on the line of the proposed improvement, shall petition for the same.

APPROVED May 11, 1903.

LOCAL IMPROVEMENTS—PETITION AND ORDINANCE.

§ 1. Amends section 4, act of 1897.

Approved May 15, 1903.

§ 4. Petition of property owners must precede ordinance in certain cities—petition of citizens for submission of question to electors.

AN ACT to amend section 4 of an act entitled "*An act concerning local improvements,*" approved June 14, 1897, in force July 1, 1897, as amended by act approved April 19, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 4 of an act entitled "*An act concerning local improvements,*" approved June 14, 1897, in force July 1, 1897, as amended by an act approved April 19, 1899, in force July 1, 1899, be, and the same is hereby, amended so as to read as follows:

§ 4. When any such city, town or village shall, by ordinance, provide for the making of any local improvement, it shall, by the same

ordinance, prescribe whether the same shall be made by special assessment, or by special taxation of contiguous property, or general taxation, or both. But in cities, towns and villages having a population of less than twenty-eight thousand (28,000), and more than (20,000), ascertained as aforesaid, no ordinance for making any local improvement to be paid by special assessment or by special taxation of contiguous property, shall be adopted, unless the owners of one-half of the property abutting along the line of the proposed improvement shall petition for the same: *Provided, however,* that on a petition signed by one hundred property owners in cities, towns and villages containing a population, ascertained as aforesaid, of between twenty-eight thousand (28,000) and fifty thousand (50,000), the question may be submitted to a vote of the people at any general or special election, whether or not said improvements can be made, unless the same is petitioned for by at least one-half of the property owners abutting on the line of said improvement, and if a majority of all the votes cast at such election shall be in favor of said proposition, then a petition, as hereinbefore provided, shall be necessary in such city, town or village before such an ordinance can be passed.

APPROVED May 15, 1903.

LOCAL IMPROVEMENTS—SPECIAL ASSESSMENTS.

- § 1. Amends sections 19, 38, 42, 61, 74 and 84, act of 1897.
- § 19. Affidavit of ownership.
- § 38. Order for assessment.
- § 42. Division of assessments into installments—payment of interest.

- § 61. Certifying of assessment roll
- § 74. Letting contracts—approval.
- § 84. Crediting excess upon assessments—reports to court.

Approved May 14, 1903.

AN ACT to amend sections nineteen (19), thirty-eight (38), forty-two (42), sixty-one (61), seventy-four (74) and eighty-four (84), of an act entitled, "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and all amendments thereto, and to validate all proceedings thereunder.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections nineteen (19), thirty-eight (38), forty-two (42), sixty-one (61), seventy-four (74) and eighty-four (84), of an act entitled, "An act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and all amendments thereto, be amended so as to read as follows, respectively:

§ 19. AFFIDAVIT OF OWNERSHIP.] The superintendent of special assessments, or president of the board of local improvements (as the case may be), shall file with said report an affidavit made by himself, or by some employé of his office, that the affiant has carefully examined the records in the recorder's office of the said county for the

names of the owners of record of the several lots, blocks, tracts and parcels of land to be taken or damaged for said improvement, and also for the names of the owners of record of the respective lots, blocks, tracts and parcels of land against which benefits are assessed in said report, and that the names of such owners are correctly shown in the column or schedule of ownership in said report; also, that he has diligently inquired as to the residence of the respective owners of property to be taken or damaged for said improvement, and of all of the respective lots, blocks, tracts and parcels of land against which benefits have been assessed in said report (specifying the nature of the inquiry and examination he has made for that purpose), and that the residences of the owners are correctly stated, according to the result of his said examination, in the column or schedule of residences in said report; also, that in all cases where he has been unable to find the residence of the owner of such record title, he has examined the return of the collector's warrant for taxes on real estate for the preceding year, and has set opposite each such parcel, whose owner has not been found, the name of the person who paid the tax on said parcel for the preceding year, together with his place of residence, wherever, on diligent inquiry, he was able to find the same. Said affidavit, or an affidavit filed therewith, shall further state that the affiant has visited each of the parcels of land to be taken or damaged for said improvement described in said report, for the purpose of ascertaining whether or not the same was occupied, and the name and residence of the occupant, if any, and that in every case where said parcels of land were found to be occupied, upon such investigation, the name of the occupant is stated in said report opposite such parcel, together with his residence, when ascertained. Such affidavit and report shall be *prima facie* evidence that the requirements of this act have been complied with.

§ 38. ORDER FOR ASSESSMENT.] Upon the filing of such petition, the superintendent of special assessments, in cities where such officer is provided for by law, otherwise some competent person appointed by the president of the board of local improvements, shall make a true and impartial assessment of the cost of the said improvement upon the petitioning municipality and the property benefited by such improvement.

§ 42. DIVISION OF ASSESSMENT INTO INSTALLMENTS—PAYMENT OF—INTEREST.] It shall be lawful to provide by the ordinance for any local improvement, any portion of the cost of which is to be defrayed by special assessment or special taxation, or by ordinance passed at any time before the confirmation of the assessment roll, that the aggregate amount assessed, and each individual assessment, and also the assessment against the municipality on account of property owned by the municipality and for public benefits, be divided into installments, not more than ten (10) in number: *Provided, however,* that any such special assessment or special tax levy for building sewers, subways or viaducts may, in like manner, be divided into not exceeding twenty (20) installments. In all cases

such division shall be made so that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment, so as to leave the remaining installments of the aggregate equal in amount and each a multiple of one hundred dollars (\$100). The first installment shall be due and payable on the second day of January next after the date of the first voucher issued on account of work done, and the second installment one (1) year thereafter, and so on annually until all installments are paid; and it is hereby made the duty of the board of local improvements to file in the office of the clerk of the court in which such assessment was confirmed, a certificate signed by its secretary, of the date of said first voucher and of the amount thereof, within thirty (30) days after the issuance thereof. All installments shall bear interest as hereinafter provided until paid, at the rate of five (5) per centum per annum. Interest on assessments shall begin to run from the date of the first voucher issued on account of work done as aforesaid. The interest on each installment shall be payable as follows: On the second day of January next succeeding the date of the first voucher aforesaid, so certified as aforesaid, the interest accrued up to that time on all unpaid installments shall be due and payable and be collected with the installment, and thereafter the interest on all unpaid installments, then payable, shall be payable annually, and be due and payable at the same time as the installments maturing in such year, and be collected therewith. In all cases it shall be the duty of the municipal collectors, as the case may be, whenever payment is made of any installment, to collect interest thereon up to the date of such payment, whether such payment be made at or after maturity. Any person may at any time pay the whole assessment against any lot, piece or parcel of land, or any installment thereof, with interest as provided herein up to the date of payment. Whenever any city, town or village has heretofore levied for any public improvement a special tax or a special assessment, payable in not to exceed ten (10) installments, of which all except the first draw interest at any rate specified in the ordinance under the authority of which such improvement is made, not exceeding five (5) per cent per annum, and judgment has been duly entered in such proceeding confirming such tax or such assessment, payable as aforesaid, the judgment in such proceeding shall not be invalid because said assessment is so divided, or because the rate of interest therein is fixed at five or at four per cent, as the case may be, but all such judgments, unless void for other reasons, shall be valid and enforceable. And when improvement bonds shall have been issued for the purpose of anticipating the collection of the deferred installments of any such special tax or assessment, such bonds shall not, if otherwise valid, be void either because of the number of series into which they are divided, or the rate of interest they bear; but if such bonds are in other respects in compliance with the statutes of the State of Illinois in such case made and provided, they shall be valid and enforceable to the extent

that the tax or assessment against which they are levied is enforceable, or any relevy thereof. The provisions of this section as to the division of installments and rate of interest shall apply to all cases pending in court and unconfirmed on July 1, 1903.

§ 61. CERTIFYING ROLL.] Within thirty (30) days after the filing of the report of the amount and date of the first voucher issued on account of work done, as provided in section 42 of this act, as herein amended, the clerk of the court in which such judgment is rendered, shall certify the assessment roll and judgment, to the officer of such city, village or town authorized to collect such special assessment; or, if there has been an appeal or writ of error taken on any part of such judgment, then he shall certify such part of the judgment as is not included in such appeal or writ of error, and such certification shall be filed by the officer receiving the same in his office. With such assessment roll and judgment, the clerk of such court shall also issue a warrant for the collection of such assessment. The court shall have power to recall such warrants as to all or any of the property affected at any time before payment or sale, in case the proceedings be abandoned by the petitioner or the judgment be vacated or modified in a material respect as hereinbefore provided, but not otherwise, and in case said assessment roll has been abated, and the judgment reduced in accordance with the provisions of section eighty-four (84) of this act, the clerk of said court shall, within thirty (30) days thereafter, certify the said order of reduction or the said roll as so reduced or re-cast, under the directions of the court, to said officer so authorized to collect such special assessment, and shall issue a warrant for the collection of such assessment as so reduced or re-cast.

§ 74. LETTING CONTRACTS—APPROVAL.] All contracts for the making of any public improvement, to be paid wholly or in part by special assessment or special tax, and any work or other public improvements, when the expense thereof shall exceed five hundred dollars (\$500), shall be let to the lowest responsible bidder in the manner herein prescribed, such contracts to be approved by the president of the board of local improvements. In case of any work in which it is estimated that the work will not cost more than five hundred dollars (\$500), if after receiving bids it shall appear to said board of local improvements that said work can be performed better and cheaper by the city, town or village, or the authorities thereof, the authorities of the city, town or village shall perform said work and employ the necessary help therefor, and the cost of said work by said city, town or village, or the authorities thereof, shall in no case be more than the lowest bid received.

§ 84. CREDITING EXCESS UPON ASSESSMENTS—REPORT TO COURT.] Within thirty (30) days after the final completion and acceptance of the work, as hereinbefore provided, the board of local improvements shall cause the cost thereof to be certified in writing to the court in which said assessment was confirmed, together with an amount estimated by the board to be required to pay the accruing interest on

bonds or vouchers issued to anticipate collection, and thereupon, if the total amount assessed for said improvement upon the public and private property exceeds the costs of the same, all of said excess, excepting the amount required to pay such interest as herein provided for, shall be abated and the judgment reduced proportionately to the public and private property owners, and shall be credited *pro rata* upon the respective assessments for said improvements under direction of the court, and, in case the assessment is collectable in installments, such reduction shall [*shall*] be made so that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment so as to leave the remaining installments in the aggregate equal in amount and each a multiple of one hundred dollars (\$100). If, prior to the entry of the order abating and reducing said assessment, the same shall have been certified for collection pursuant to the provisions of section 61 of this act as herein amended, and any of the installments of such assessments so certified for collection have become due and payable, the reduction and abatement above referred to, shall be made *pro rata* upon the other installments; the intent and meaning hereof being that no property owner shall be required to pay to the collector a greater amount than his proportionate share of the cost of said work and of the interest that may accrue thereon. In every assessment proceeding in which the assessment shall be divided into installments, it shall also be the duty of the board of local improvements to state in said certificate whether or not the said improvement conforms substantially to the requirements of the original ordinance for the construction of the improvement, and to make an application to said court to consider and determine whether or not the facts stated in said certificate are true; and thereupon the court shall, upon such application, fix a time and place for a hearing upon the said petition, and shall enter the same of record, such time to be not less than fifteen (15) days after the filing of such certificate and application. Public notice shall be given of the time and place fixed for such hearing by posting and publishing in a newspaper, in the same manner and for the same period as provided in this act for publishing notice of application for the confirmation of the original assessment, the posting and publication of such notice to be not less than fifteen (15) days before the day fixed by such order for such hearing. At the time and place fixed by such notice, or at any time thereafter, the court shall proceed to hear said application and any objections which may be filed thereto within the time fixed in such order, and upon such hearing the said certificate of the board of local improvements shall be *prima facie* evidence that the matters and things therein stated are true, but if any part thereof are controverted by objections duly filed upon such petition, the court shall hear and determine the same in a summary manner, and shall enter an order according to the fact. Such order of the court shall be conclusive upon all the parties and no appeal therefrom, or writ of error thereto, shall be allowed to review or reverse the same. If, upon such hearing, the court shall find against the allegations of the

said certificate, it shall enter an order accordingly, but it shall then be the duty of the said board of local improvements to procure the completion of the said improvement in substantial accordance with the said ordinance, and said board may, from time to time, file additional or supplemental applications or petitions in respect thereto, until the court shall be eventually satisfied that the allegations of such certificates or petitions are true, and that said improvement is constructed in substantial accordance with the said ordinance. If, before the entry of such order upon such certificate, there shall have been issued to the contractor in the progress of any such work, any bonds to apply upon the contract price thereof, said contractor or the then owner or holder of such bonds, shall be entitled to receive in lieu thereof new bonds of equivalent amount, dated and issued after the entry of such order.

APPROVED May 14, 1903.

POLICE PENSION FUND.

§ 1. Amends sections 1, 2, 3, 4, 6, 9, 10 and 11, act of 1887.

§ 1. How fund created.

§ 2. Board of trustees — appointment and election — term — who entitled to vote.

§ 3. Who shall be pensioned.

§ 4. Physical disability — retiring from service — amount of pension.

§ 6. Death in performance of duty — pension to widow — death in service.

§ 9. Meetings of board — officers — certificate — record — list — quorum.

§ 10. Powers of board.

§ 11. Treasurer's report to board.

§ 2. Repeal.

§ 3. Emergency.

Approved May 16, 1903.

AN ACT to amend sections 1, 2, 3, 4, 6, 9, 10 and 11 of an act entitled "An act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as amended by an act approved April 24, 1899, in force July 1, 1899, as amended by act approved May 11, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections 1, 2, 3, 4, 6, 9, 10 and 11 of an act entitled "An act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages, and incorporated towns," approved April 29, 1887, in force

July 1, 1887, as amended by an act approved April 24, 1899, in force July 1, 1899, as amended by act approved May 11, 1901, in force July 1, 1901, be amended so as to read as follows:

§ 1. That in each city, village or incorporated town in this State, having a population of 50,000 inhabitants or more, there shall be set apart the following moneys to constitute a police pension fund:

First. Three-fourths of all moneys received for taxes or for licenses upon dogs.

Second. Three per cent of all moneys received from licenses for the keeping of saloons and dram shops, including licenses to wholesale liquor dealers.

Third. All moneys paid for special detail of police officers.

Fourth. One per cent per month, which shall be paid or deducted from the pension of each and every police pensioner of such city, village or town.

Fifth. All moneys received from fines imposed upon members of the police department of such city, village or town, for violation of the rules and regulations of the police department.

Sixth. The proceeds of all sales of unclaimed, lost or stolen property.

Seventh. One-fourth of all moneys received from licenses granted to pawn brokers, second-hand dealers and junk stores.

Eighth. All moneys received as fees and for fines for carrying concealed weapons.

Ninth. One-half of all costs collected for violations of city ordinances.

Tenth. All rewards given or paid to members of such police force, except such as shall be excepted by the chief officer of police.

Eleventh. One per cent per month, which shall be paid by or deducted from the salary of each and every member of the police department of such city, village or town: *Provided*, no such member shall be compelled to pay more than \$1 a month from his salary.

Twelfth. Three per cent of all revenue collected or received by such city, village or incorporated town from all licenses issued by such city, village or incorporated town, not mentioned in this bill: *Provided, however*, that the sum so received from such three per cent shall in no case exceed the sum of twenty-five thousand dollars per annum.

§ 2. A board composed of five members, residents of such city, village or town, to be chosen as hereinafter provided, shall be and constitute a board of trustees to provide for the disbursement of said fund or funds, and designate the beneficiaries thereof as herein directed, which board shall be known as the board of trustees of the police pension fund of such city, village or town. Three members of said board shall be residents of such city, village or town who shall not hold during their term of membership on said board any appoin-

tive or elective political offices or positions. They shall be appointed by the mayor or the president of the board of trustees of such city, village or town. One of said members shall serve for a period of one year, beginning on the second Tuesday in May, 1903. One of said members shall serve for a period of two years, beginning on the second Tuesday in May, 1903. The other members shall serve for a period of three years, beginning on the second Tuesday in May, 1903. The successors to any of the foregoing trustees shall serve for a period of three years each, or until such time as their successors are appointed and qualified. The two other persons who, with the members above designated shall constitute said board, shall be chosen, one from the active police force and one from the body of pensioners under this act, of such city, village or town. The members to be chosen from the active police force shall be elected by ballot at an annual election, at which election all members of the active police force shall be entitled to vote. The members to be chosen from the body of pensioners under this act, shall be elected by ballot at an annual election, at which election all retired members of the police force, who are pensioners under this act and the widows of all deceased pensioners, who are pensioners under this act, shall be entitled to vote. In the event that there shall be no widow surviving, then the guardian of any children of such deceased pensioner, where such children are also pensioners, may cast the vote to which such widow would have been entitled had she survived. The election in this section provided for shall be held annually, on the third Monday of April, under the Australian ballot system, at such place or places in such city, village or town, under such regulations as shall be prescribed by the three appointive members of said board: *Provided, however,* that no person entitled to vote under the provisions of this section shall cast more than one vote at any such election. In the event of the death, resignation or inability to act of any member of said board, elected under the provisions of this section, the successor of such member shall be elected at a special election, which shall be called by said board and shall be conducted in the same manner as are the annual elections hereunder. Suitable rooms for offices and meetings of such board shall be assigned by the mayor or president of the board of trustees of such city, village or town.

§ 3. Whenever any person at the time of the taking effect of said act, to which this is an amendment, or thereafter shall be duly appointed and sworn, and have served for the period of twenty years or more upon the regularly constituted police force of such city, village or town of this State, subject to the provisions of this act, or where the combined years of service of any person upon the police force and the fire department, as aforesaid, of such city, village or town of this State, shall aggregate twenty years or more, said board shall order and direct that such person after becoming fifty years of age and his service on such police force shall have ceased, and all officers entitled to and having a pension under said act, to which this is an amendment, after the taking effect of this act shall be paid from such fund a yearly pension equal to one-half the amount of salary

attached to the rank which he may have held on said police force for one year immediately prior to the time of such retirement: *Provided, however*, the maximum of said pension shall not exceed the sum of \$900 and the minimum not less than \$600. And after the decease of such member, his widow or minor child or children under sixteen years of age, if any survive him, shall be entitled to the pension provided for in this act, of such a deceased husband or father; but nothing in this or any other section of this act shall warrant the payment of any annuity to any widow of a deceased member of said police department after she shall have re-married: *And, provided further*, that all police officers retired after twenty years' service in the police department of such city, village or town, and who are above the age of fifty years now on the police pension rolls shall receive the same pension now allowed them: *Provided*, that in no case shall said pension exceed the sum of \$900.

§ 4. Whenever any person, while serving as a policeman, in any such city, village or town, shall become physically disabled while in, and in consequence of, the performance of his duty as such policeman, said board shall, upon his written request, or without such request, if it deem it for the good of said police force, retire such person from active service, and order and direct that he be paid from said fund a yearly pension not exceeding one-half the amount of the salary attached to the rank which he may have held on said police force at the time of his retirement: *Provided*, that the maximum sum of such pension shall not exceed the sum of \$900 per year, and the minimum not less than \$600 per year: *Provided, further*, that whenever such disability shall cease such pension shall cease.

§ 6. Whenever any member of the police force of such city, village or town shall lose his life while in the performance of his duty, or receive injuries from which he shall thereafter die, leaving a widow, or child or children under the age of sixteen years, then upon satisfactory proof of such facts made to it, such board shall order and direct that a yearly pension of one-half the salary received by said member, not to exceed \$900 and the minimum not less than \$600 per year, shall be paid to such widow during her life, or if no widow, then to such child or children until they shall be sixteen years of age: *Provided*, if such widow, child or children shall marry, then such person so marrying shall thereafter receive no further pension from said fund: *And, provided further*, that whenever any member of the police force of such city, village or town, has been retired after twenty years' service, or physically disabled, shall then marry, such wife or child or children of such marriage shall, after his death, receive no pension from said fund. Whenever any member of a police force shall die after ten years' service therein, and while still in the service of such city, village or town, as such policeman, leaving a widow or child or children under the age of sixteen years, then upon satisfactory proof of such facts made to it, said board shall order and direct that a pension of one-half the salary, not exceeding the sum of \$900,

shall be paid to such widow, or if there be no widow, then to such child or children until they shall be sixteen years of age, said pension to cease upon marriage, as provided above.

§ 9. The board herein provided for shall hold quarterly meetings on the second Tuesday of July, October, January and April of each year, and special meetings upon the call of the president of said board. On the second Tuesday of July of each year, it shall select one of its members who shall act as the president of such board for the period of one year, or until such time as his successor is elected and qualified. Said board shall, on the same day, also select another of its members who shall act as the treasurer and also secretary of said board, for the period of one year or until such time as his successor is elected or qualified. Said board shall issue certificates signed by its president and secretary to the persons entitled thereto, of the amount of money ordered paid to such persons from said fund by said board, which certificates shall state for what purpose said payment is made. Said board shall keep a record of all its proceedings, which record shall be a public record. Said board shall submit quarterly to the board of trustees of such village or town, or the common council of such city, a list of persons entitled to payments from the fund herein provided, stating the amount of such payments, and for what granted, as ordered by such board, which list shall be signed and certified by the treasurer and president of such board, and attested by such treasurer under oath: *Provided*, that no resolution shall be passed or order made for the payment of money unless by affirmative vote of a majority of the members of said board.

§ 10. In addition to the other powers herein granted, the following further powers and authority are hereby conferred upon said board:

First. The said board shall have exclusive control and management of the fund mentioned herein, and of all moneys donated, paid or assessed for the relief or pensioning of disabled, superannuated and retired members of the police department, their widows and minor children; the same to be placed by the treasurer of such board to the credit of such fund subject to the order of such board.

Second. All rewards, moneys, gifts, fees or emoluments that may be paid or given for, or on account of extraordinary service by said police department or any member thereof, except when allowed to be retained by said member or given to endow a medal or other competitive reward, shall be paid into said pension fund. The said board may take by gift, grant, devise or bequest, any money, real estate, personal property, right of property, or other valuable thing, the income of which shall not exceed \$100,000 on the whole of such money, real estate, personal property, right of property, or other valuable thing so obtained: *Provided*, that the sum of \$300,000, which may be received and accumulated, shall be, when so received and accumulated, retained as a permanent fund, and thereupon and thereafter the annual income may be available for the uses and purposes of such pension fund.

Third. Said board of trustees shall have the power to draw such pension funds from the treasurer or other officials of such city, village or town, and may invest such fund, or any part thereof, in the name of the board of trustees of the police pension fund in interest bearing bonds of the United States, of the State of Illinois, or of any county of this State, or of any township or any municipal corporation of the State of Illinois, and all such securities shall be deposited with the treasurer of said board, and shall be subject to the order of said board. Said treasurer of said board shall furnish a good and sufficient bond to said board for an amount to be fixed by said board, all costs incidental to same to be paid out of said pension fund.

Fourth. The interest received from any such investment of said fund after said fund shall exceed the sum of \$300,000, and all moneys in excess of said amount, shall be turned over to the treasurer of said city, village or town.

Fifth. To compel witnesses to attend and testify before it, upon all matters connected with the operation of this act, in the same manner as is or may be provided by law for the taking of testimony before masters in chancery and its president, or any member of said board may administer oaths to such witnesses.

Sixth. To appoint a clerk and define his duties.

Seventh. To provide for the payment from said fund of all its necessary expenses, including clerk hire, printing and witness fees: *Provided*, that no compensation or emolument shall be paid to any member of said board for any duty required or performed under this act.

Eighth. To make all necessary rules and regulations, for its guidance in conformity with the provisions of this act.

§ 11. On the second Tuesday in May of each year, the treasurer and all other officials of such city, village or town, who have had the custody or possession of any of such pension funds herein provided, shall make a sworn statement to the board of trustees of such police pension fund, and to the mayor of such city, or the president of the board of trustees of such village or town, of all moneys received and paid out by such official on account of said pension fund during the year, and of the amount of said funds then on hand and owing to said pension fund. All surplus then remaining on said official's hands shall be paid by him to the treasurer of said pension board: *And, provided further*, any such official shall at any and all times upon demand by said pension board furnish to said board statements or information of any kind relative to said official's method of collection or handling of said pension funds: *And, provided further*, that all books and records of such official shall be produced at any time by said official for examination and inspection by said board of pension trustees, for the purposes herein provided.

§ 2. All acts or parts of acts or amendments thereof heretofore enacted, and in any manner conflicting with the provisions of this act, are hereby expressly repealed.

§ 3. WHEREAS, An emergency exists for the immediate taking effects [effect] of this act, therefore it shall be in force from and after its passage.

APPROVED May 16, 1903.

SANITARY DISTRICT—ENLARGEMENT OF CHICAGO DISTRICT.

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| <p>§ 1. Additions to district described at length.</p> <p>§ 2. Drainage of added territory—Calumet feeder—Illinois and Michigan canal—navigation of channel—locks—land ceded for docks, shops, etc.</p> <p>§ 3. Rules governing navigation of sanitary channel.</p> <p>§ 3. Power to levy tax in added territory restricted.</p> | <p>§ 5. Construction of dams, water-wheels etc.</p> <p>§ 6. Use of available power produced.</p> <p>§ 7. Tax rate limited to one-fourth of one per cent.</p> <p>§ 8. Federal laws to be observed.</p> <p>§ 9. Adoption of act by majority vote.</p> <p>Approved May 14, 1903.</p> |
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AN ACT in relation to the sanitary district of Chicago, to enlarge the corporate limits of said district, and to provide for the navigation of the channels created by such district, and to construct dams, waterwheels and other works necessary to develop and render available the power arising from the water passing through its channels, and to levy taxes therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the corporate limits of the sanitary district of Chicago be, and the same are hereby, extended so as to embrace and include within the same, the territory and tracts of land situated in the county of Cook and State of Illinois, hereinafter described, as follows, viz.:

First—The territory or tract of land bounded as follows: Beginning at the intersection of the county line between Lake and Cook counties, State of Illinois, with the west shore of Lake Michigan, running thence west along said county line to the northwest corner of section three (3), township forty-two (42) north, range twelve (12), east of the third principal meridian; thence south to the southeast corner of section thirty-three (33), township forty-two (42) north, range twelve (12), east of the third principal meridian; thence east to the northwest corner of section twelve (12), township forty-one (41) north, range twelve (12), east of the third principal meridian; thence south to the northwest corner of section twenty-five (25), in said town and range; thence east to the northeast corner of the west half ($\frac{1}{2}$) of the west half ($\frac{1}{2}$) of said section [twenty-five] (25); thence south to the southeast corner of the west half ($\frac{1}{2}$) of the west half ($\frac{1}{2}$) of section thirty-six (36) in said town and range; thence east to the northeast corner of the west half ($\frac{1}{2}$) of section 1 (1), township forty (40) north, range twelve (12), east of the third

principal meridian; thence south to the southeast corner of the west half ($\frac{1}{2}$) of section thirteen (13) in said township and range; thence east to the southeast corner of section thirteen (13): thence east, north, northwest and east along the present boundary line of said sanitary district of Chicago to the shore of Lake Michigan; thence northwesterly along the shore of Lake Michigan to the place of beginning.

Second—The territory or tract of land bounded as follows, to-wit: Commencing at the northeast corner of section three (3) in township thirty-seven (37) north, range thirteen (13), east of the third principal meridian; running thence south to the southwest corner of section eleven (11), township thirty-six (36) north, range thirteen (13), east of the third principal meridian; thence east and south along the boundary lines of section fourteen (14), in said township thirty-six (36) to the southeast corner of said section fourteen (14), thence east to the southeast corner of section seventeen (17), in township thirty-six (36) north, range (15), east of the third principal meridian; thence north along the east boundary line of the State of Illinois to its intersection with the shore of Lake Michigan, thence along the shore of Lake Michigan to the south boundary line of the present sanitary district of Chicago; thence west along the present south boundary line of the said sanitary district of Chicago to the place of beginning.

§ 2. The board of trustees of said sanitary district shall have the right to provide for the drainage of the additional territory added to said sanitary district by this act, by laying out, establishing, constructing and maintaining one or more channels, drains, ditches and outlets for carrying off and disposing of the drainage (including the sewage) of such district, together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed in a satisfactory manner, and shall have the right to use what is known as the "Calumet feeder" of the Illinois and Michigan canal, and lands adjacent to such feeder belonging to the State of Illinois for the site of any such channel, within the limits of the county in which such district is situated, in such manner as said district may elect, and shall also have the right to construct a channel across said Illinois and Michigan canal, without being required to restore said Illinois and Michigan canal or said feeder to its former usefulness. If, by reason of said abandonment, a stagnant stream or pool of water shall remain upon the deposits of Chicago sewage, accumulated in said Illinois and Michigan canal by reason of its years of usefulness by the city of Chicago as a sewage outlet, said sanitary district shall fill up said canal to a depth sufficient to remove said condition, and prevent the spread of pestilence and disease throughout the territory in which said Illinois and Michigan canal is abandoned; and the other powers and jurisdiction of said sanitary district of Chicago, over and in connection with such added territory, shall be the same as that vested in it over the territory included within the limits of said sanitary district, as originally organized. Before said Calumet channel is

connected with the present main sanitary channel, gates of suitable pattern for shutting off the flow of water into said Calumet channel shall be installed at or near the connection of said Calumet channel with the Calumet river, and forever maintained for use in case of an emergency, and for the protection of the property and lives of residents of the Illinois valley, and shall maintain the same proportion of dilution of sewage through such auxiliary channels as it may construct and join to its main channel as is now required by the act creating said sanitary district: *Provided, however*, that before any such channel is constructed across said Illinois and Michigan canal, or the navigation of said canal in any manner interfered with, said sanitary district of Chicago shall connect its present main channel from the controlling works at Lockport with the upper basin of the Illinois and Michigan canal at Joliet, by a channel of a depth of not less than ten (10) feet and a width of not less than one hundred and sixty (160) feet through its entire length, in which channel so to be constructed, said sanitary district shall provide and construct a lock or locks of the size of at least twenty-two (22) feet in width by one hundred and thirty (130) feet in length between mitre sills, connecting upper and lower levels, and provide suitable protection for water craft in using said locks and channel. Said locks shall be constructed of the most approved pattern of their size, and be perfectly safe for use, and be equipped with machinery to operate the same; and if only one lock is constructed, it shall be provided with double gates to prevent accident and said sanitary district shall forever maintain and operate the same: *Provided further*, that said sanitary district shall furnish and provide at said lock a site of the dimensions of at least twenty by thirty feet upon which the State, through the Canal Commissioners shall have the right to erect a suitable office building and keep an agent therein, and the Canal Commissioners shall have such authority in and about said lock as is necessary to enforce the rules and regulations prescribed by them pertaining to and governing navigation on the Illinois and Michigan canal: *Provided further*, that said sanitary district shall furnish, free of all expense, for the perpetual use of the Canal Commissioners, at some point in the township of Lockport to be agreed upon by the Canal Commissioners and the sanitary district trustees, a strip or parcel of land bordering upon said sanitary channel, eight hundred (800) feet in length and one hundred and thirty feet (130) feet in width, filling the same to a suitable depth to provide suitable roadways for approaches, whereon may be located, constructed and operated, docks, shops, barns and other buildings controlled by the Canal Commissioners and used in connection with the operation of the Illinois and Michigan Canal.

§ 3. Said sanitary district shall permit all water craft navigating, or purposing to navigate said Illinois and Michigan Canal, to navigate the water of all said channels of said sanitary district promptly, without delay and without payment of any tolls or lockage charges for so navigating in said channels. The rules of the United States government now in force, regulating navigation on the Chicago

river, shall govern navigation on the channels of said sanitary district of Chicago: *Provided, however*, that the speed of all vessels while passing through the earth sections shall not exceed eight (8) miles per hour.

§ 4. Said sanitary district of Chicago shall have no power to levy and collect any special assessment or special tax upon any part of said added territory to defray or pay any part of the cost, either of the work heretofore done by said sanitary district, or any main channel hereafter to be constructed in said added territory.

§ 5. That the said sanitary district of Chicago is hereby authorized to construct all such dams, waterwheels and other works north of the upper basin of the Illinois and Michigan Canal as may be necessary or appropriate to develop and render available the power arising from the water passing through its main channel and any auxiliary channels now, or hereafter, constructed by said district.

§ 6. That the power made available by the works constructed under the provisions of this act shall be converted into electrical energy, and shall be transmitted to the various cities, villages and towns within said sanitary district, or adjacent to the main channel of said sanitary district, and may be used in the lighting of said cities, villages and towns, or parts thereof, or for the operation of pumping plants or machinery used for municipal purposes or for public service, or may be disposed of to any other person or corporation, upon such terms and conditions as may be agreed to by the said sanitary district: *Provided, however*, that it shall be the duty of said sanitary district to utilize so much of said power as may be required for that purpose to operate the pumping stations, bridges and other machinery of said sanitary district.

§ 7. That for the purpose of meeting the expenditures arising from the exercise of the powers conferred by sections five and six of this act upon the said sanitary district, the said sanitary district of Chicago is hereby authorized to levy and collect in each year, for a period of three years (in addition to the taxes which said district is now by law authorized to levy and collect), a tax of not exceeding one-fourth of one per cent of the value of the taxable property within the corporate limits of said district, as the same shall be assessed and equalized for the State and county taxes of the year in which the levy is made: *Provided further*, that the county clerk, in extending said one-fourth of one per cent tax upon the taxable property within said sanitary district, shall not in any event reduce the same, but, in that respect, said one-fourth of one per cent shall not be subject to the provisions of an act entitled, "An act concerning the levy and extension of taxes," approved May 9, 1901.

§ 8. The said sanitary district shall, at the expense of said district, in all respects comply with the provisions of the acts of Congress of March 22, 1822, and March 2, 1827, as construed by the courts of last resort of the State of Illinois and of the United States,

in relation to the Illinois and Michigan Canal, so far as it affects that portion of the Illinois and Michigan Canal vacated or abandoned by the terms of this act.

§ 9. If, within sixty (60) days after the passage of this act, a petition signed by not less than three per cent of the legal voters of the territory within the limits of the sanitary district of Chicago, as the same are enlarged by the terms of this act, praying that the question of the adoption of this act shall be submitted to a vote of the electors of the territory within the said limits of the said sanitary district of Chicago, shall be filed with the clerk of said sanitary district, then and in such case, the question of the adoption of this act shall be submitted to a vote of the said electors as in said petition prayed, at the general election to be held in the county of Cook, in November, 1904, and in such case this act shall not be in force, unless a majority of the votes cast at said election upon the question of the adoption of this act shall be in favor of the adoption thereof. It shall be the duty of the election officers having charge of the preparation of the ballots, and the giving of the notices of election, and of the counting, canvassing and making return of the ballots, to take all necessary steps and do all necessary acts to cause the said question of the adoption of this act to be submitted to a vote as hereinbefore provided, and to cause the result of such election to be canvassed and certified, as provided by law in other similar cases.

APPROVED May 14, 1903.

VILLAGE PRESIDENT—ELECTION AND TERM OF OFFICE.

§ 1. Extends term of office of village president to two years—emergency.

Approved April 17, 1903.

AN ACT to amend section 1 of an act entitled "An act concerning villages and incorporated towns," approved June 9, 1887, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an act entitled "An act concerning villages and incorporated towns," approved June 9, 1887, in force July 1, 1887, be, and the same is hereby, amended to read as follows:

Section 1. That in addition to the trustees and officers required by law, a president of each and every village and incorporated town shall hereafter be elected, one every two years by the voters of such village or town, at the regular election of such village or town, commencing with the election of such village or town held in the year A. D. 1903, and said president of any village or incorporated town shall hold his office for the term of two years, and until his successor is elected and qualified.

The president of any village or incorporated town shall be president of the board of trustees thereof, and shall preside at all meetings of said board, and shall have the same powers and perform the same duties as are or may be given by law to the mayor in cities, or that have heretofore been given to the president of the board of trustees in villages, but he shall not vote, except in case of a tie, when he shall give the casting vote. WHEREAS, The next village election will take place on the third Tuesday in April, 1903, and an emergency exists, this act shall take effect from and after its passage.

APPROVED April 17, 1903.

CONVEYANCES.

ACKNOWLEDGMENTS OF DEEDS, MORTGAGES, ETC.

§ 1. First—Acknowledgments taken within the State; second—without this State but within the United States; third—outside of the United States. Approved May 23, 1903.

AN ACT to amend section 20 of an act entitled, "*An act concerning conveyances*," approved March 29, 1872, and in force July 1, 1872, as amended by an act approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section twenty (20) of an act entitled, "*An act concerning conveyances*," approved March 29, 1872, and in force July 1, 1872, as amended by an act approved March 27, 1874, in force July 1, 1874, be amended so as to read as follows:

§ 20. Deeds, mortgages, conveyances, releases, powers of attorney or other writings of or relating to the sale, conveyance or other disposition of real estate or any interest therein whereby the rights of any person may be affected in law or in equity, may be acknowledged or proven before some one of the following courts or officers, namely:

First. When acknowledged or proven within this State, before a master in chancery, notary public, United States commissioner, county clerk, justice of the peace or any court of record having a seal, or any judge, justice, clerk or deputy clerk of any such court. When taken before a notary public or United States commissioner, the same shall be attested by his official seal; when taken before a court or the clerk thereof, or a deputy clerk thereof, the same shall be attested by the seal of such court; and when taken before a justice of the peace there shall be added the certificate of the county clerk under his seal of office that the person taking such acknowledgment or proof was a justice of the peace in said county at the time of taking the same. If the justice of the peace reside in the county where the lands mentioned in the instrument are situated, no such certificate shall be required.

Second. When acknowledged or proved without this State and within the United States, or any of its territories or dependencies or the District of Columbia, before a justice of the peace, notary public, master in chancery, United States commissioner, commissioner to take acknowledgments of deeds, mayor of city, clerk of a county, or before any judge, justice, clerk or deputy clerk of the supreme, circuit or district court of the United States, or before any judge, justice, clerk or deputy clerk, prothonotary, surrogate, or registrar of the supreme, circuit, superior, district, county, common pleas, probate, orphan's or surrogate's court of any of the states, territories or dependencies of the United States. In any dependency of the United States such acknowledgment of proof may also be taken or made before any commissioned officer in the military service of the United States. When such acknowledgment or proof is made before a notary public, United States commissioner or commissioner of deeds, it shall be certified under his seal of office. If taken before a mayor of a city it shall be certified under the seal of the city; if before a clerk, deputy clerk, prothonotary, registrar or surrogate, then under the seal of his court; if before a justice of the peace or a master in chancery there shall be added a certificate of the proper clerk under the seal of his office setting forth that the person before whom such proof or acknowledgment was made was a justice of the peace or master in chancery at the time of taking such acknowledgment or proof. An acknowledgment or proof of execution of any instrument aforesaid, may be made in conformity with the laws of the state, territory, dependency or district where it is made: *Provided*, that if any clerk of any court of record within such state, territory, dependency or district shall under his hand and the seal of such court, certify that such acknowledgment or proof was made in conformity with the laws of such state, territory, dependency or district, or it shall so appear by the laws of such state, territory, dependency or district, such instrument or a duly proved or certified copy of the record of such deed, mortgage or other instrument relating to real estate heretofore or hereafter made and recorded in the proper county may be read in evidence as in other cases of such certified copies.

Third. When acknowledged or proven without the United States, then before any court of any republic, dominion, state, kingdom, empire, colony, territory, or dependency having a seal, or before any judge, justice or clerk thereof, or before any mayor or chief officer of any city or town having a seal, or before a notary public or commissioner of deeds, or any ambassador, minister or secretary of legation or consul of the United States or vice consul, deputy consul, commercial agent or consular agent of the United States in any foreign republic, dominion, state, kingdom, empire, colony, territory or dependency attested by his official seal, or before any officer authorized by the laws of the place where such acknowledgment or proof is made to take acknowledgments of conveyances of real estate or to administer oaths in proof of the execution of conveyances of real estate. Such acknowledgments to be attested by the official seal, if any, of such court or officer, and in case such acknowledgment or

proof is taken or made before a court or officer having no official seal, a certificate shall be added by some ambassador, minister, secretary of legation, consul, vice consul, deputy consul, commercial agent or consular agent of the United States residing in such republic, dominion, state, kingdom, empire, colony, territory or dependency under his official seal, showing that such court or officer was duly elected, appointed or created and acting at the time such acknowledgment or proof was made.

Fourth. All deeds or other instruments or copies of the record thereof duly certified or proven which have been heretofore acknowledged or proven before either of the courts or officers in this act mentioned and in the manner herein provided, shall be deemed to be good and effectual in law, and the same may be read in evidence without further proof of their execution, with the same effect as if this act had been in force at the date of such acknowledgment or proof.

APPROVED April 28, 1903.

ACKNOWLEDGMENTS OF DEEDS, MORTGAGES, ETC.

§ 1. Acknowledgment taken by notary or justice who is officer or stockholder of a corporation declared valid—act retroactive.

§ 2. Emergency.

Approved May 15, 1903.

AN ACT to legalize acknowledgments of deeds, mortgages and other instruments in writing, heretofore taken by any notary public, justice of the peace or other officer, who may have been a stockholder in any such corporation at the time of taking such acknowledgment.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all deeds, mortgages or other instruments in writing, relating to or affecting any real estate situated in this State, wherein a corporation was or may be the grantor, mortgagor, grantee, or mortgagee, which have been acknowledged or proven before any notary public, justice of the peace or other officer authorized by the statutes of this State to take acknowledgments of such instruments in writing, when so acknowledged or proven, in conformity with the statutes of this State, shall be adjudged and treated by all courts of this State as legally executed and acknowledged or proven, notwithstanding such acknowledgments or proof of the execution thereof were taken before a notary public, justice of the peace, or such other officer who was, or may have been at the time of such acknowledgment, a stockholder or officer of such corporation; and all such acknowledgments or proof of such deeds, mortgages or other instruments in writing here-

tofore taken before any such notaries public or other officers, who were at the time of such execution, acknowledgment or proof, a stockholder or officer of such corporation, are hereby legalized.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect from and after its passage.

APPROVED May 15, 1903.

REGISTRATION OF TITLES UNDER TORRENS LAND TITLE SYSTEM.

§ 1. Amends sections 7 and 18, Act of 1897.

§ 7. Application for registration by owner or guardian—executors and administrators — duties concerning registration.

§ 18. Proceedings after filing application for registration—evidence competent for examiner to receive.

§ 2. Adoption of this act in counties already having adopted original act.

Approved May 18, 1903.

AN ACT to amend sections seven (7) and eighteen (18) of an act entitled, "An act concerning land titles," approved and in force May 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections seven (7) and eighteen (18) of an act entitled, "An act concerning land titles," approved and in force May 1, 1897, be amended so as to read as follows:

§ 7. The owner of any estate or interest in land, whether legal or equitable, may apply, as hereinafter mentioned, to have his title registered. He may apply in person, or by an attorney in fact authorized so to do; a corporation may apply by its authorized agent; an infant by his natural or legal guardian; any other person, under disability, by his legal guardian. Except in applications by executors and administrators, the person in whose behalf the application is made, shall be named as applicant. It shall be the duty of all executors and administrators, appointed after the adoption of this act and trustees holding title or power of sale under wills admitted to probate after that date, to apply within six months after their appointment, to have registered the titles to all non-registered estates and interests in land (situated in any county in which this act at the time is in force), which the several decedents they represent might have registered in their lifetime in their own right. Such application shall set forth the names and addresses of the persons entitled to the estate or interest sought to be registered, and any such person, not joining in the application, shall be made a defendant. The court, in its final decree, in addition to what is provided in the subsequent sections of this act, shall determine the several titles and interests of the persons claiming under the decedent, and declare the same, and decree in whom registration shall be made. Land so registered shall be subject to be sold for the debts of the estate of the decedent, as now provided by law: *Provided*, that the court of

probate jurisdiction of the county in which the land is situated, in cases where registration may appear to be a hardship, may, by an order entered of record, excuse such application for registration as to the whole, or any part of the land.

§ 18. Immediately upon the filing of the application, an order may be entered referring the same to one of the examiners of title appointed by the registrar, who shall proceed to examine into the title and into the truth of the matter set forth in the application, and particularly whether the land is occupied, the nature of the occupation, if occupied, and by what right, and make report in writing to the court, the substance of the proof and his conclusions therefrom. He shall have power to administer oaths and examine witnesses, and may, at any time, apply to the court for directions in any matter concerning his investigation. The examiner may receive in evidence any abstract of title or certified copy thereof, made in the ordinary course of business by makers of abstracts; but the same shall not be held as more than *prima facie* evidence of title, and any part or parts thereof may be controverted by other competent proofs. He shall not be required to report to the court the evidence submitted to him, except upon the request of some party to the proceeding, or by the direction of the court. No report shall be made upon such application, until after the expiration of the time specified in the notice hereinafter provided for the appearance of the defendants, and in case of such appearance, until opportunity is given to such defendant to contest the rights of the applicant in such manner as shall be allowed by the court.

§ 2. The provisions of this act shall not apply to land in any county, where the act of which this act is an amendment has been adopted, until this act shall have been adopted by a vote of the people of the county, at an election to be held on Tuesday next after the first Monday in November, or any election for the election of judges of the year in which the question is submitted. The question may be submitted in the following manner: In any county of the first or second class, as the same are classified in the act concerning fees and salaries, on the petition of not less than one-half of the legal voters, to be ascertained by the vote cast at the last preceding election for county officers, or in any county of the third class upon petition of not less than twenty-five hundred (2,500) legal voters praying the submission of the question of the adoption of this act, the clerk shall give notice that such question will be submitted at such election, and shall cause to be printed at the top of the ballots to be used for said election:

For extension of the Torrens land title system	
Against extension of the Torrens land title system	

The votes cast upon that question shall be counted, canvassed and returned as in the case of the election of county officers. If the majority of the votes cast on that subject shall be for extension of the Torrens land title system, this act shall thereafter be in force, and apply to lands in that county. If the majority of the first submission is not in favor of such extension, the question shall not be again submitted before the second year thereafter.

APPROVED MAY 18, 1903.

CORPORATIONS.

ANNUAL REPORTS TO SECRETARY OF STATE.

§ 1. Amend section 2, act of 1901.

Approved May 13, 1903.

§ 2. Reports made annually—must be signed and sworn to by officer—fee for filing—cancellation of charter.

AN ACT to amend section 2 of an act entitled, "An act requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of articles of incorporation for failure to do so, and to repeal a certain act therein named," approved May 10, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section two (2) of an act entitled, "An act requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of articles of incorporation for failure to do so, and to repeal a certain act therein named," approved May 10, 1901, in force July 1, 1901, be, and is hereby, amended to read as follows:

§ 2. Every incorporated company other than railroad, banking, building and loan and insurance companies, religious corporations, and corporations not organized for pecuniary profit, existing by virtue of any general or special law of this State, or hereafter organized by virtue of any law of this State, shall annually, between the first day of February and the first day of March report to the Secretary of State the location of its principal office in this State, with town, street and number, the names of its officers with their residence, stating the town, street and number with the date of the expiration of their respective terms of office; whether or not the corporation is pursuing an active business under its charter, and the kind of business engaged in, if any, which said report shall be made under the seal of the corporation, and shall be signed and sworn to by the president, secretary, or other officer of the corporation, and, in case said corporation is in the hands of an assignee or receiver, then such

report shall be signed and sworn to by such assignee or receiver, which said report, together with a fee of one dollar (\$1) for filing the same, shall be sent to the Secretary of State, in whose office it shall be filed. The Secretary of State shall in no case receive or file said report until said fee is paid, and a failure to make said report and pay said fee shall be *prima facie* evidence that said corporation is out of business, and shall work a forfeiture of the charter of such corporation. And it is hereby made the duty of the Secretary of State to enter upon the records of his office, as soon as practicable after default in making such report, the cancellation of the charter of all corporations failing to make said report, at the time and in the manner herein provided.

APPROVED May 13, 1903.

BUILDING, LOAN AND HOMESTEAD ASSOCIATIONS.

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| 1. Amends sections 5a, 5b, 5c, 5d, 6a, 6b, 6d, 7, 8, 13, 14, 15, 18, 22, act of 1879 and adds sections 1b and 8b thereto. | § 7. Who may become subscribers. |
| § 1b. Funds to supply homes—when unlawful to create—penalty. | § 8. Meeting of directors—loans. |
| § 5a. Directors and officers bona fide shareholders. | § 8b. Life insurance. |
| § 5b. Officers' bonds. | § 13. Purchase of real estate—when. |
| § 5c. Power to borrow money. | § 14. Existence may be extended. |
| § 5d. Matured shares. | § 15. Annual report to Auditor—penalties. |
| § 6a. Capital to be accumulated. | § 18. Auditing committee—compensation. |
| § 6b. Withdrawals—voluntary. | § 22. Voting—adoption of resolution to reorganize or liquidate. |
| § 6d. Withdrawals—involuntary. | § 24. Dissolution—report and record. |

Approved May 16, 1903.

AN ACT to amend sections 5a, 5b, 5c, 5d, 6a, 6b, 6d, 7, 8, 13, 14, 15, 18, 22 and 24 of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879, as amended by acts approved June 17, 1887, in force July 1, 1887, June 19, 1891; in force July 1, 1891, June 19, 1893; in force July 1, 1893, June 16, 1897; in force July 1, 1897, and April 24, 1899; in force July 1, 1899; and by adding thereto sections 1b and 8b.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 5a, 5b, 5c, 5d, 6a, 6b, 6d, 7, 8, 13, 14, 15, 18, 22 and 24 of an act entitled "An act to enable associations of persons to become a body corporate to raise funds to be loaned only among the members of such associations," in force July 1, 1879; as amended by acts approved June 17, 1887, in force July 1, 1887, June 19, 1891; in force July 1, 1891, June 19, 1893; in force July 1, 1893, June 16, 1897; in force July 1, 1897, and April 24, 1899; in force July 1, 1899; be amended to read as follows, and that sections 1b and 8b be added thereto, to read as follows:

§ 1b. It shall be unlawful for any company, association, corporation, organization or co-partnership, assuming to be a company or corporation, to transact business in this State for the purpose of receiving or accepting moneys from their subscribers, contributors or members, in installments for the purpose of creating a fund with which to supply homes unless such company, [any] association, corporations, organization or co-partnership is organized and doing business under this act, and whoever violates any provision of this section shall be punished by a fine of not more than one thousand dollars (\$1,000). The same may be recovered in any court having competent jurisdiction in the name of the People of the State of Illinois on the relation of the Auditor of Public Accounts for the benefit of the county wherein said person or persons, association or corporation is located.

§ 5a. DIRECTORS—OFFICERS.] The corporate powers shall be exercised by a board of directors of not less than seven in number, all of whom shall be *bona fide* shareholders in such association and residents of the State of Illinois. The officers shall consist of a president, vice-president, secretary and treasurer, to be elected at the annual meeting of the directors. The duties of the officers, their term of office, the time and manner of their election, the manner of filling vacancies, the time of holding periodical meetings of the officers and shareholders, the manner of calling all special meetings not provided for in this act, and manner of voting, shall be determined by the by-laws, when not provided in this act, and unless the compensation of the secretary and treasurer shall be provided for in the by-laws, the directors shall annually fix and determine the same.

§ 5b. OFFICERS' BONDS.] Every person appointed or elected to any position requiring the receipt, payment, management or use of money belonging to such association shall, within thirty (30) days after such appointment or election, become bounden with two or more good and sufficient sureties, or in some good and responsible fidelity insurance company, in such sum as the directors shall require and approve. Such bonds shall be executed annually and shall be filed with the Auditor of Public Accounts of this State within ten days next after the approval thereof by the board of directors, and the fee for filing the same shall be one dollar. Such bond shall be sufficient in amount to protect the association from loss by reason of malfeasance in office or failure to faithfully perform and discharge the duties of his position: No officer or employe who is required to give bond, shall be deemed qualified to enter upon the discharge of his duties until his bond shall have been approved by a majority of the board of directors by a written endorsement thereon and filed with the Auditor of Public Accounts as herein required. Any officer or employe who shall wilfully neglect or refuse to file such bond at the time and manner as is herein provided, shall be subject to a fine of not less than twenty-five dollars nor more than two hundred dollars. The same may be recovered in any court having competent jurisdiction in the name of the People of the State of

Illinois on the relation of the said Auditor, for the benefit of the county wherein the said association is located, or in which such officer or officers may reside.

§ 5c. POWER TO BORROW MONEY.] The directors shall have power to borrow money for such temporary uses and purposes of the association as the exigencies of the business may demand and as are not inconsistent with the objects of the association. To secure such loans, the directors may cause the obligation or obligations of the association to be issued therefor, bearing interest at not to exceed the then legal contract rate. No such loan or loans shall have a longer duration than one year, nor shall the aggregate amount of such outstanding indebtedness at any one time exceed ten per centum of the assets of the association. Before any money shall be borrowed, the board of directors shall first, by a majority vote of all members, pass and record a resolution to that effect.

§ 5d. MATURED SHARES.] When the directors shall have declared any shares to have reached maturity, the owners thereof shall be entitled to receive such maturity value, with such interest, not exceeding the then legal contract rate, as the directors may determine, from the time of maturity until paid: *Provided*, that at no time shall the aggregate amount of such shares outstanding exceed twenty per centum of the assets of the association.

§ 6a. CAPITAL TO BE ACCUMULATED.] The capital to be accumulated shall be divided into shares having a maturity value of one hundred dollars each. The shares shall be deemed to be personal property in the hands of the members, transferable upon the books of the association in the manner provided in the by-laws. The shares may be issued at such time or times and in such class or classes as the by-laws shall designate. The shares, if the by-laws shall so provide, may be issued in series, and be subdivided into classes, each class having a different periodical payment of dues, payable in such manner and in such amounts and at such time or times as the by-laws shall provide. Every share shall be subject to a lien for the payment of unpaid installments and such other charges as may be lawfully incurred thereon under the provisions of this act, and the by-laws may prescribe the manner of enforcing such lien. The payment of such dues shall continue on each share until the same shall have reached maturity value, or is withdrawn or retired. All shares which have matured, or which shall have been cancelled, withdrawn or retired may be reissued as of a subsequent date or series. All shares heretofore issued by any association upon which installments have been paid in advance, together with the interest allowed or paid thereon, are hereby legalized and validated.

§ 6b. WITHDRAWALS, VOLUNTARY.] Any member desiring to withdraw his shares from any association doing business in this State shall make a written application, which shall be received and filed in numerical order, and payments upon the same shall be made in the order in which they are filed. Such member shall be entitled to receive the full amount of dues paid in on the shares so sought to

be withdrawn and such interest thereon as fixed in the by-laws, and in addition thereto such proportion of the profits apportioned thereto as the board of directors may, from time to time, by resolution determine, less such charges of the character enumerated in this act as may be due thereon: *Provided*, that the amount of such interest or profits paid on withdrawals shall not exceed the actual earnings of the shares sought to be withdrawn: *Provided, further*, that at no time shall more than one-half of the funds in the treasury of the association be applicable to the demand of withdrawing members or the payment of matured shares, without the consent of the board of directors: *Provided, further*, that any member having pledged his or her shares as security for an advance, without other security, may withdraw the same and receive the evidence of indebtedness given for such advance and such balance in cash, if any, as may be to the credit of such shares, but such withdrawal shall be subject to the same regulations in all other respects as in the case of shares not pledged.

§ 6d. WITHDRAWALS, INVOLUNTARY.] The directors may, in their discretion, under the rules made by them in conformity with the by-laws, retire the unpledged shares, in the order of the issue of such shares, by enforcing withdrawals of the same, and the owners shall be paid the full value of their shares, as determined at the last preceding distribution of profits, together with all dues paid since such distribution, less any unpaid fines: *Provided*, that all shares which have reached matured value and that may be outstanding, shall be first retired under the provisions of this act.

§ 7. WHO MAY BECOME SUBSCRIBERS.] Married women may become subscribers to the capital stock of such association and hold, control and transfer their stock in all respects as *femmes sole*, and their stock shall not be subject to the control of or liable for the debts of their husbands. Minors may become subscribers to and owners of the stock of such association, which may be withdrawn in like manner as other stock, and the receipt of such minors shall be a valid acquittance.

§ 8. MEETING OF DIRECTORS—LOAN OF MONEY.] The board of directors shall hold such stated meetings, not less frequently than once a month, as may be provided by the by-laws; at which meetings the money in the treasury shall be offered for loan in open meeting, and the shareholders who shall bid the highest premium, for the preference or priority of loan, shall be entitled to receive a loan of one hundred dollars for each share of stock held by said shareholders; the said premium bid may be deducted from the loan in one amount, or may be paid in such proportionate amounts or installments, and at such times during the existence of the shares of stock borrowed upon, as may be designated by the by-laws of the respective associations: *Provided*, that any such association may, by its by-laws dispense with the offering of its money for bids in open meeting and, in lieu thereof, loan its money at a rate of interest and premium fixed by its by-laws, and either with or without premium, deciding

the preference or priority of loans by the priority of the applications for loans of its shareholders: *And, provided*, that no loan shall be made by said association except to its own members, nor in any sum in excess of the amount of stock held by such members borrowing, but such shareholders may borrow such fractional part of one hundred dollars as the by-laws may provide. Good and ample real estate security, unincumbered, except by prior loans of such association, shall be given by the borrower to secure the payment of the loan: *Provided, however*, that the stock of such associations may be received as security to the amount of the withdrawal value of such stock: *And, provided*, that the board of directors may be [by] a two-thirds vote of all its members temporarily invest the funds of the association in the treasury in excess of the demands of the shareholders, in other securities, but such investments shall not exceed twenty per centum of the assets of the association. Any mutual building, loan and homestead association, which may have heretofore been incorporated under the laws of the State of Illinois, may avail itself of all the power conferred by this act.

§ 8b. LIFE INSURANCE.] The board of directors may require as additional security for any loan, life insurance on the life of the borrower or other person in an amount and in some company to be designated by them, or the borrower may do so voluntarily with the consent of the association. The policy of insurance shall be assigned to the association as collateral security for the loan, and in case of death shall be applied to its payment. The cost of such insurance shall be paid by the association from time to time when due, and deducted from the amount standing to the credit of the borrower on his stock, or from his subsequent payments of the same as other assessments. Other arrangements may be made for the payment of such insurance by the consent of all parties.

§ 13. MAY PURCHASE, ETC., REAL ESTATE—WHEN.] Any loan or building association, incorporated by or under this act, is hereby authorized and empowered to purchase at any sheriff's or other judicial sale, or at any other sale, public or private, any real estate upon which such association may have or hold any mortgage, lien or other encumbrance, or in which said association may have an interest, and the real estate so purchased, to sell, convey, lease, mortgage or exchange for other real estate and to dispose of such real estate so acquired at pleasure to any person or persons whomsoever.

§ 14. EXISTENCE MAY BE EXTENDED.] Any loan or building association incorporated under this act, or any prior act, may extend the duration of time for which such association was organized, increase or decrease its capital stock, or change its name or the number of directors, by a vote of the majority of the capital stock of such association at any meeting of the shareholders of such association; thereupon the board of directors shall transmit a copy of the proceedings of such meeting, duly attested, to the Auditor of Public Accounts, who shall issue his certificate as provided in section 3 of this act, certifying to the extension of time of duration of such asso-

ciation, and the same shall be recorded as provided in said section 3 of this act. And any association incorporated under any prior act, and extending the duration of the time for which it was incorporated, in the manner herein provided, shall be deemed as incorporated under and be vested with all the powers given in this act, the same as if such association had been originally incorporated under it.

§ 15. ANNUAL REPORT TO AUDITOR—PENALTIES FOR NOT MAKING, OR FOR MAKING FALSE OR WRONG REPORTS.] The secretary of every association doing business within this State shall, within sixty days next after the close of each fiscal year of such association, file with the Auditor of Public Accounts of the State of Illinois, with a fee of two dollars, a detailed statement of the receipts and expenditures of such association for one year next preceding the date of such report, its assets and liabilities, including in such liabilities all sums due for gross premium unearned; the number of shares issued, withdrawn, matured, retired and loaned on during the year; the number of shares in force, number of shares loaned upon, installments per share, profits per share and the value per share at the date of such statement, which statement shall be in such form as shall be prescribed by the Auditor. Such statement shall exhibit in full each, all and every of the receipts from whatsoever source received, and each, all and every of the expenditures of such association, including all expenses of management. All of such statements shall be sworn to by the secretary before some officer authorized by the laws of this State and certified to by a committee of three members of such association, not officers thereof, or by public accountants appointed by the board of directors. Such statement, and also any other periodical statement, shall be either mailed to each shareholder or published in some paper regularly issued in the county in which such association is located within sixty days next after the same shall be compiled. Any secretary who shall wilfully neglect or refuse to file such statement, shall be subjected to a fine of not less than twenty-five dollars nor more than two hundred dollars for each neglect or refusal to furnish such statement. The same may be recovered in any court having competent jurisdiction in the name of the People of the State of Illinois, on the relation of the said Auditor, for the benefit of the county wherein said association is located, or in which such secretary may reside.

§ 18. AUDITING COMMITTEES—COMPENSATION ALLOWED.] Any such association may allow reasonable compensation to its auditing committees for their services as such, or to such public accountants appointed by the board of directors in making any examination of any such association.

§ 22. VOTING—ADOPTION OF RESOLUTION TO REORGANIZE OR LIQUIDATE.] At such special meeting all votes taken shall be by ballot, and votes of its shareholders owning at least two-thirds of its shares in force at the time such vote is taken shall be necessary to carry any resolution for the reorganization or liquidation of such association; and if at such meeting, said shareholders shall, in the

manner herein provided, pass a resolution for the reorganization or liquidation of such association, a copy of such resolution, duly certified by the presiding officer and secretary of such meeting, shall be given to and shall contain full instructions, and define the authority and compensation of the party or parties to be named therein, to answer and discharge the duties entrusted to them by such resolution; and a like duly certified copy of such resolution, instructions and authority shall immediately be filed with the Auditor of Public Accounts, by the party or parties named in such resolution, before they shall enter upon the discharge of their trust. Before the party or parties named in any such resolution shall assume the duties of their trust, they shall become bounden with two or more good and sufficient sureties, or in some good and responsible fidelity insurance company, in such sum as the Auditor of Public Accounts of this State shall require and approve.

§ 24. Upon the completion, by the person or persons named in the aforesaid resolution, passed at such special meeting of shareholders, of the duties entrusted to them in such resolution, they shall cause a complete record of all proceedings to be made, reciting therein the adoption of the resolution to that effect, which shall also show that all claims, demands and debts for or against the association have been fully settled, the corporate liabilities completely discharged, and the corporate assets and property distributed among all the persons entitled thereto. Said report and record shall be filed in the office of the Auditor of Public Accounts, and a notice of such dissolution published for three successive weeks in any newspaper published in the county wherein the principal office of such association is located, and upon the filing of such report, and making publication as aforesaid, such association shall be deemed dissolved: *Provided*, that when an association has wound up its affairs and discontinued business without entering upon voluntary liquidation, as provided in this act, the directors shall likewise file with the Auditor of Public Accounts a report and record, and publish a notice of dissolution, as hereinabove provided, and thereupon said association shall be deemed dissolved.

APPROVED May 16, 1903.

CHANGING NAME, LOCATION, CAPITAL STOCK, ETC. .

§ 1. Amends section 1, act of 1872.

Approved May 16. 1903.

§ 1. Change of name, location, object, amount of capital stock, number of directors, etc., authorized.

AN ACT to amend section 1 of an act entitled, "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, for enlarging or changing the objects for which such corporations were formed, and for the consolidation of incorporated companies," approved and in force March 26, 1872, as amended by an act approved June 14, 1887, and in force July 1, 1887, as amended by act approved June 6, 1889, in force July 1, 1889; and to authorize corporations to increase or decrease the number of shares of capital stock, and to increase or decrease the amount of each share of capital stock.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an act entitled, "An act to provide for changing the names, for changing the places of business, for increasing or decreasing the capital stock, for increasing or decreasing the number of directors, for enlarging or changing the objects for which such corporations were formed, and for the consolidation of incorporated companies," approved and in force March 26, 1872, as amended by an act approved June 14, 1887, and in force July 1, 1887, as amended by act approved June 6, 1889, in force July 1, 1889, be amended to read as follows:

§ 1. That whenever the board of directors, managers or trustees of any corporation existing by virtue of any general or special law of this State, or any corporation hereafter organized by virtue of any law of this State, may desire to change the name, to change the place of business, to enlarge or change the object for which such corporation was formed, to increase or decrease the capital stock, to change the number of shares of capital stock, to increase and decrease the par value of shares of capital stock, to increase or decrease the number of directors, managers or trustees, or to consolidate said corporation with any other corporations now existing or which may hereafter be organized, they may call a special meeting of the stockholders of such corporation; or if the same has no stockholders, of the members or trustees, for the purpose of submitting to a vote of such stockholders, members or trustees, the question of such change of name, change of place of business, enlargement or change of the object for which such corporation was formed, increase or decrease of capital stock, change of number of shares of capital stock, increase or decrease of number of directors, managers or trustees, increase or decrease of capital stock, to increase or decrease the par value of shares of capital stock, or to consolidate with some other corporations, as the case may be; and further, that eleemosynary or religious corporations for educational purposes, acting under the general law or by

virtue of special charter, are authorized to change the time and manner of electing the trustees, and to allow the alumni of said corporations to vote in the election of the trustees or a part thereof: *Provided*, that in changing the name of any other corporation, under the provisions hereof, no name shall be assumed or adopted by any corporation similar to or liable to be mistaken for the name of any other corporation organized under the laws of this State, without the consent of such other corporation; and that in no case shall the capital stock be diminished to the prejudice of the creditors of such corporation: *And, provided further*, that no corporation shall by virtue hereof, change its place of business from any town, county or municipality where such town, county or municipality, or any of the inhabitants thereof, or any person or persons interested therein, shall have donated or in any manner contributed any money or other valuable thing to induce such corporation to locate in such town, county or municipality: *And, provided further*, that the provisions of this act, in reference to the consolidation of corporations, shall only apply to corporations of the same kind and engaged in the same general business and carrying on their business in the same vicinity, and that no more than two corporations now existing shall be consolidated into one under the provisions hereof, except in the cases of corporations other than those conducted for profit: *And, provided further*, that no alteration or change shall be made by virtue of this section to embrace any object that might not have been lawfully embraced in the statement and license issued before the organization of such corporation as provided in section 2 of an act entitled, "An act concerning corporations," approved April 10, 1872, and in force July 1, 1872.

APPROVED May 16, 1903.

CONVEYANCE OF REAL ESTATE BY CHURCHES.

§ 1. Churches may sell, lease, mortgage and improve real estate—disposition of proceeds.

§ 2. Repeal.

Approved April 27, 1903.

AN ACT to give to church corporations power to lease, improve, mortgage, bond, sell, or otherwise dispose of any real estate heretofore and now held by said church corporation, in whole or in part for business purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That every church corporation organized under the laws of the State of Illinois is hereby given power through its board of trustees (or such other of its officers as shall have powers and duties similar to those of trustees) to lease, improve, mortgage, bond, sell, convey, or otherwise dispose of any lot or parcel of ground heretofore acquired by it for its own use, and which has been appropriated in whole or in part to business uses. The net proceeds or income derived therefrom to be appropriated to

such uses or purposes as shall be authorized by a vote of its board of trustees (or of such other of its officers as shall have powers and duties similar to those of trustees): *Provided, however*, that no part of such net proceeds or income shall be used otherwise than in defraying the cost and expenses connected with improving, maintaining, operating and caring for said property, and the improvements thereon, and in paying the obligations of the church owning the same, and for church or religious purposes.

§ 2. Every provision of any law, whether general or special, inconsistent with the provisions of this act, is hereby repealed.

APPROVED April 27, 1903.

DISSOLUTION OF CERTAIN CORPORATIONS.

§ 1. Trustees of corporations for charitable or educational purposes may close up affairs—sale of property and disposition of funds. Approved May 13, 1903.

AN ACT authorizing the trustees of any corporation having control of any educational or charitable corporation, or any funds thereof, under the care or patronage of any religious denomination, where they find that the purposes for which the corporation was created can not be carried out, authorizing such trustees to close up the affairs of such corporation.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That whenever the trustees of any corporation having control of any educational or charitable institution, or any fund thereof, under the care or patronage of any religious denomination, find that the purposes for which the corporation was created can not be carried out, they shall have authority and power to close up the affairs of such corporation in the following manner, to-wit:

They may sell any or all property of any and every kind belonging to the corporation. Out of the proceeds of the sale of said property, together with any money belonging to the corporation, they shall pay all debts against said corporation. They shall return to the donors all sums which have been given to the corporation under written conditions requiring the return of said sum, in case the purposes of the corporation are not carried out. They shall transfer and deliver all funds and property remaining in their hands, after the payment of debts and return of donations as herein before provided, to the religious denomination having charge or the patronage of the said educational or charitable corporation, by transferring and delivering said funds and property into the possession and control of that regularly constituted body in such religious denomination by which the trustees of the said educational or charitable corporation are nominated or elected.

APPROVED May 13, 1903.

FEES REQUIRED FROM COMPANIES AND CORPORATIONS.

§ 1. Amends section 1, act of 1895.

§ 1. Scale of fees required to be paid to Secretary of State—increase of stock—certain corporations exempt.

§ 2. Emergency.

Approved May 14, 1903.

AN ACT entitled "*An act to amend section 1 of an act entitled 'An act regarding fees for the incorporation and the increase of capital stock of companies and corporations in this State,' approved June 15, 1895. in force July 1, 1895. As amended by an act approved April 24, 1899; in force July 1, 1899.*"

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 1 of an act entitled "An act regarding fees for the incorporation and the increase of capital stock of companies and corporations in this State," approved June 15, 1895; in force July 1, 1895, as amended by an act approved April 24, 1899, in force July 1, 1899, be, and the same is hereby, amended to read as follows:

§ 1. That all companies and corporations hereafter organized under the laws of the State of Illinois, before they shall be permitted to file any papers in the office of the Secretary of State, or make any application for the purpose of becoming incorporated, shall pay to him fees as follows: All companies having a capital stock of \$2,500 and under, shall pay the sum of \$30 and all companies having a capital stock of over \$2,500 and not over \$5,000 shall pay the sum of \$50, and all companies having a capital stock of over \$5,000 shall pay, in addition to the said sum of \$50, the sum of \$1 for each \$1,000 of capital stock over \$5,000. All corporations at present organized and doing business under the laws of this State, or that may hereafter be organized, shall pay as a fee, in addition to all other fees at present required by law, the sum of \$1, for each \$1,000, of increase of such capital stock: *Provided*, that no company now incorporated, or which may be hereafter incorporated under the laws of this State, shall acquire a franchise by increase of capital stock to over \$2,500 and not over \$5,000 for a less sum than \$50, and over \$5,000, in addition to the said sum of \$50, the sum of \$1 for each \$1,000 increase of capital stock, and \$1 for filing certificate of such increase: *And: provided further*; that this act shall not apply to corporations incorporated under the law providing for the incorporation of homestead associations and building and loan associations, nor to religious associations, nor corporations not for pecuniary profit.

§ 1. WHEREAS, In consequence of the fact that certain corporations may be organized without first taking out a license to organize, and it is contended section 1 of the law as originally enacted does not apply to them, an emergency exists, and this act shall take effect from and after its passage.

APPROVED May 14, 1903.

COUNTIES.

ADDITIONAL TAX LEVY.

§ 1. Amends section 27, act of 1874.

Approved May 15, 1903.

§ 27. Taxes in excess of 75 cents per \$100—proceedings by county board—submission of proposition to electors—surplus.

AN ACT to amend section twenty-seven (27) of an act entitled, "An act to revise the law in relation to counties," approved and in force March 31, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section twenty-seven (27) of "An act to revise the law in relation to counties," approved and in force March 31, 1874, be, and the same is hereby, amended to read as follows:

§ 27. RAISING TAX IN ADDITION TO CONSTITUTIONAL LIMIT.] Whenever the county board shall deem it necessary to assess taxes, the aggregate of which shall exceed the rate of seventy-five cents per one hundred dollars, valuation of the property of the county, except when such excess is to be used for the amount of indebtedness existing at the adoption of the constitution, the county board may, by an order entered of record, set forth substantially the amount of such excess required, and the purpose for which the same will be required, and if for the payment of interest or principal, or both, upon bonds, shall in a general way designate the bonds and specify the number of years such excess will be required to be levied, and provided for the submission of the question of assession, the additional rate required to a vote of the people of the county at the next election for county officers after the adoption of the resolution: *Provided*, if such additional rate required is for the purpose of building a court house, a special election may be held for such purpose, and it shall be the duty of the county clerk in his election notice, to give notice of such submission. The votes therefor shall be "For additional tax," and those against shall be "Against additional tax." The votes shall be canvassed and returned the same as those for county officers, and if a majority of the votes cast upon the question are "For additional tax," then the county board shall have power to cause such additional tax to be levied and collected in accordance with the terms of such resolution, and the money so collected shall be kept as a separate fund, and disbursed only for the purpose for which the same was raised: *Provided*, any surplus that may remain after the payment of all demands against said fund, may be used for other purposes.

APPROVED May 15, 1903.

BOARDS OF HEALTH—ESTABLISHMENT OF BY COUNTY AUTHORITIES.

§ 1. Amends sections 1, 2, and 5, act of 1901.

§ 2. Powers and duties of boards.

§ 1. Boards of health in counties under and not under township organization.

§ 5. Compensation.

Approved May 16, 1903.

AN ACT to amend sections one (1), two (2) and five (5) of an act entitled "An act to create and establish boards of health in counties not under township organization, and in townships in counties under township organization, outside of the corporate limits of incorporated cities and villages, to prescribe their duties and powers, and provide for enforcing the same," approved May 10, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1), two (2) and five (5) of an act entitled "An act to create and establish boards of health in counties not under township organization, and in townships in counties under township organization outside of the corporate limits of incorporated cities and villages, to prescribe their duties and powers and provide for enforcing the same," approved May 10, 1901, in force July 1, 1901, be, and the same are hereby, amended so as to read as follows, to-wit:

SECTION 1. The board of county commissioners in counties not under township organization, and the supervisor, assessor and town clerk of every town in counties under township organization, shall constitute a board of health, and on the breaking out of any dangerously communicable diseases in their county or town, or in the immediate vicinity thereof, it shall be their duty to make and enforce such rules and regulations tending to check the spread of the disease within the limits of such county or town as may be necessary; and for this purpose they shall have power to quarantine any house or houses, or place where any infected person may be, and cause notices of warning to be put thereon, and to require the disinfection of the house or place: *Provided*, that nothing in this act shall apply to any territory lying within the corporate limits of any incorporated city or village: *Provided, further*, that in case the board of health of any county not under township organization, or of any township in counties under township organization shall fail, refuse or neglect to promptly take the necessary measures to preserve the public health, or in case any such board of health shall refuse or neglect to carry out the rules and regulations of the State Board of Health, that thereupon the State Board of Health may discharge such duties and collect from the county or township, as the case may be, the reasonable costs, charges and expenses incurred thereby.

§ 2. The said boards of health shall have the following powers:

First—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

Second—To appoint physicians as health officers and prescribe their duties.

Third—To incur the expenses necessary for the performance of the duties and powers enjoined upon the board.

Fourth—To provide gratuitous vaccination and disinfection.

Fifth—To require reports of dangerously communicable diseases.

§ 5. The members of said boards of health shall be allowed for the time spent in the performance of their said duties, each the sum of \$1.50 per day, which, together with all bills by them contracted and all sums of money by them expended, shall be audited and paid in the same manner as other county and town expenses.

APPROVED May 16, 1903.

OATHS ADMINISTERED BY MEMBERS OF COUNTY BOARD.

§ 1. Amends section 56, act of 1874.

Approved May 14, 1903.

§ 56. Oaths—administration of by chairman of board—by member of board—no fee to be charged.

AN ACT to amend section fifty-six (56) of an act entitled, "An act to revise the law in relation to counties," approved and in force March 31, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section fifty-six (56) of an act entitled, "An act to revise the law in relation to counties," approved and in force March 31, 1874, be amended to read as follows:

§ 56. Every chairman of the said board shall have power to administer an oath to any person concerning any matters submitted to the board, or connected with their powers and duties, and any member of said board shall have power to administer the oath required by law to any claimant presenting a claim against the county, to be passed on by said board: *Provided*, that any member so administering an oath to such claimant, shall not be allowed to charge a fee therefor.

APPROVED May 14, 1903.

RELIEF OF THE BLIND.

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| § 1. County may contribute to support of blind.
§ 2. \$150 per annum may be allowed all beneficiaries of this act.
§ 3. Who may not receive allowance under act.
§ 4. Examiner of blind—appointment by county board.
§ 5. Duties of examiner—registration of applicants—fees. | § 6 Affidavit of applicant—duty of county clerk.
§ 7. County clerk shall keep register of applications—shall certify applicants to county board.
§ 8. County board shall make annual appropriation to meet expenditures under act.
§ 9. Penalty for false affidavit.
Approved May 11, 1903. |
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AN ACT for the relief of the blind.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be lawful for any county to contribute such sum or sums of money for the charity or general funds, toward the support of any blind person who may come under the provisions of this act.

§ 2. That all male persons over the age of twenty-one (21) years, and all female persons over the age of eighteen (18) years, who are declared to be blind in the manner hereinafter set forth, and who come within the provisions of this act, shall, at the discretion of the board of county commissioners or the board of supervisors, receive, as a benefit, one hundred and fifty dollars (\$150) per annum, payable quarterly, upon warrants properly drawn upon the treasurer of the county of which such person or persons are residents.

§ 3. That no person or persons who are charges of any charitable institution of this State, or any county or city thereof, or persons having an income of more than two hundred and fifty dollars (\$250) per annum, or persons who have not resided within the State of Illinois continuously for ten (10) consecutive years and in their respective counties three (3) years, immediately before applying for said benefit, shall be entitled to the provisions of this act.

§ 4. It is hereby made the duty of the board of county commissioners or board of supervisors in each county of this State, to appoint a regular practicing physician, whose official title shall be "Examiner of the Blind," who shall keep an office open in some convenient place during the first week of each year, for the examining of applicants for said benefit.

§ 5. It is hereby made the duty of the examiner of the blind to examine all applicants for benefit referred to him by the board of county commissioners or board of supervisors, and to endorse on the application a certificate to each applicant, showing whether he or she is blind or not. Said examiner shall keep a register in which he shall enter the facts contained in each certificate. He shall be paid from the county treasury for his services, the sum of two dollars (\$2) for each applicant so examined.

§ 6. All persons claiming the benefit provided herein, may go before the county clerk of their respective counties, and make affidavit to the facts which bring him or her within the provisions of this act, which shall be deemed an application for said benefit; two citizens, residents of the county, shall be required to make affidavits to the fact that they have known said applicant to be a resident of the county for the three years immediately preceding the filing of said application; the county clerk shall bring the same to the attention of the county commissioners or county supervisors of the county, who shall refer the application to the examiner of the blind for said county.

§ 7. The county clerk shall register the name, address and number of applicant, and date of the examination of each of the applicants who has been so determined to be entitled to said benefit, and each year, on or before the fifteenth (15th) day of January, he shall certify to the county commissioners or county supervisors of the county, the names and residences of each applicant.

§ 8. It is hereby made the duty of the board of county commissioners or board of supervisors of each county in this State, to provide in the annual appropriation for the payment of persons so entitled to said benefit who have complied with the provisions of this act, and to cause warrants on the county treasurer to be drawn, properly endorsed, payable to each of said persons in said county each quarter in each year thereafter, during the life of said person, while they are residents of said county, or until said disability is removed.

§ 9. Any person who shall make a false affidavit in order to secure the benefit herein provided, shall, upon conviction, be deemed guilty of perjury.

APPROVED May 11, 1903.

COURT OF CLAIMS.

NAME, "COMMISSIONER OF CLAIMS" CHANGED TO "COURT OF CLAIMS."

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| <p>§ 1. Commissioner of Claims, changed to Court of Claims.</p> <p>§ 2. Appointment of judges — presiding judge—sessions.</p> <p>§ 3. Powers and duties defined.</p> <p>§ 4. Auditor <i>ex officio</i> clerk of court.</p> <p>§ 5. Claims, how presented—evidence in writing.</p> <p>§ 6. Salary of judges and bailiff.</p> | <p>§ 7. Rejection of claims.</p> <p>§ 8. Statement of awards.</p> <p>§ 9. Jurisdiction declared exclusive.</p> <p>§ 10. Opinions of court to be published.</p> <p>§ 11. Repeals act of 1877, creating Commission of Claims.</p> <p>Approved May 16, 1903.</p> |
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AN ACT to create the Court of Claims and to prescribe its powers and duties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the name of the Commission of Claims as heretofore existing in the State of Illinois, be, and the same is hereby changed to the Court of Claims, and said Court of Claims shall be the successor of the Commission of Claims established by the act of the General Assembly, approved May 29, 1877, entitled "An act to create a Commission of Claims and to prescribe its powers and duties," as amended by act approved June 3, 1889. Said Court of Claims shall exercise all the jurisdiction, rights, powers and duties which are now conferred on the Commission of Claims, and all causes now pending before the Commission of Claims, shall be considered as pending before the Court of Claims the same as if originally filed therein.

§ 2. The Court of Claims shall consist of three persons, not more than two of whom shall belong to the same political party; learned in the law and experienced in its practice appointed by the Governor, by and with the advice and consent of the Senate, who shall hold their office for the term of four years, from the time of their appointment and until their successors or successor of either of them, shall be appointed. One of the said persons shall be designated in his appointment as presiding judge of the Court of Claims and each of the others as judge of the Court of Claims. Said court shall hold a session at the capitol of the State on the first Monday of October, A. D. 1903, and every year thereafter, in a room provided by the Secretary of State, and shall continue its session until the business before it shall be disposed of for such session.

§ 3. The Court of Claims shall have power to make such rules, not inconsistent with or contrary to law, for the government of proceedings before it as it may deem proper, and shall have the same power to enforce such rules, and to preserve order and decorum in its presence, as is vested by common law or statute of this State in any court of general jurisdiction. And it shall be the duty of said court to hear and determine the following matters:

First—All unadjusted claims founded upon any law of the State or upon any contract, express or implied, with the government of the State, and all claims which may be referred to it by either House of the General Assembly.

Second—All claims against the State for the taking or damaging of private property by the State for public purposes in the construction, or for the use of any State institution, river, canal, or other public improvement, which have not been already barred by any statute or law of limitations, or heretofore heard and determined by said commission.

Third—All unadjusted and controverted claims against the board of trustees, or board of directors of any of the public educational, charitable, penal or reformatory institutions of the State, canal commissioners, commissioners for the construction of the State capitol building, State board of education, the military power of the State when called into action for the preservation of the public peace or order, or for instruction in camp, arising out of any contract expressed or implied, or in tort, or for any damages, whether liquidated or unliquidated, or any other claim or demand whatsoever.

Fourth—All other unadjusted claims of whatsoever nature or character against the State of Illinois.

Fifth—All set offs, counter-claims, claims for damages, whether liquidated or unliquidated, or other demands whatsoever on the part of the State of Illinois, or any board of trustees, directors, or commissioners, or military authority against whom any such claim shall have been presented to such court. And such court shall hear such claims according to its rules and established practice, and determine the same according to the principles of equity and justice, except as otherwise provided in the laws of this State, and shall file with the records of each claim determined, a brief written statement of the reason of the determination, and in case such court shall allow all or any part of such claim, they shall make an award in favor of the claimant, finding the amount due to each claimant, which said award, shall be filed and recorded in the office of the Auditor of Public Accounts in a book to be kept by him for that purpose.

§ 4. The Auditor of Public Accounts shall be *ex officio* clerk of said court, and shall be custodian of all records, books, files and paper belonging or appertaining to said court.

§ 5. All persons having any such claims against the State, shall file the same with the Auditor of Public Accounts on or before the first day of May next preceding the day fixed by this act for the session of said court, and shall file with such claim a statement in writing, under oath, of the fact upon which such claim is based, setting forth the time when and the place where the same accrued, and if any such claim accrued by virtue of a contract, a copy of such contract, and the name and present address, known, of the officer or agent with whom such contract was made, and in all cases, the amount of such claim, and all other facts necessary to a full understanding of such claim; and upon

the filing of the same as aforesaid it shall be the duty of the Auditor of Public Accounts to immediately notify the Attorney General thereof, and it shall be his duty to represent the State in all such claims. All evidence in support of, or against such claims, shall be taken in writing in the same manner in which depositions in chancery are usually taken, and all evidence for claimant shall be filed with the Auditor of Public Accounts on or before the first day of August prior to the day fixed for the sitting of the said court, and all evidence for defendant shall be filed on or before the day for the sitting of said court, and no other evidence shall be received by said court on the hearing of any such claim.

§ 6. The judges of the Court of Claims shall each receive a salary of fifteen hundred dollars per annum. The presiding judge of said court shall appoint a bailiff who shall receive a salary of three dollars per day for the number of days actually occupied in the business of the court, to be paid by the Auditor of Public Accounts upon the certificate of the presiding judge. The Auditor of Public Accounts shall receive no additional compensation for services in claims allowed and recorded, but the court may make such orders as they deem proper for securing the payment of costs in claims not allowed: *Provided*, no security for costs shall be required in any claim referred to said court by either House of the General Assembly.

§ 7. In case said court shall reject any claim, so filed as aforesaid upon the hearing thereof, such rejection shall conclude the claimant unless said court shall otherwise direct.

§ 8. The Auditor shall, in his biennial report to the Governor, include a detailed statement of all such awards, and said statement shall be laid before the two Houses of the General Assembly at its session held next after the filing of such award.

§ 9. The jurisdiction conferred upon said court by this act shall be, and is hereby declared to be exclusive.

§ 10. At the close of each session, the Auditor of Public Accounts shall compile and publish the opinions of the court filed during the session.

§ 11. An act to create a commission of claims and to prescribe its powers and duties, approved May 29, 1877, in force July 1, 1877, as amended by act of June 3, 1889, in force July 1, 1889, is hereby repealed.

APPROVED May 16, 1903.

COURTS.

CIRCUIT AND SUPERIOR COURTS—COOK COUNTY.

§ 1. Repeals act providing for additional judges of Circuit and Superior Courts.

§ 2. Emergency.

Approved April 17, 1903.

AN ACT to repeal an act entitled, "An act to provide for additional judges of the circuit and superior courts of the county of Cook," approved May 10, 1901, in force July 11, 901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act to provide for additional judges of the circuit and superior courts of the county of Cook," approved May 10, 1901, in force July 1, 1901, be, and the same is hereby, repealed.

§ 2. WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED April 17, 1903.

CIRCUIT AND SUPERIOR COURTS—COOK COUNTY.

§ 1. Amends section 32, act of 1874.

Approved May 4, 1903.

§ 32. Powers of judges in vacation—
injunctions—executions—re-
ceivers—signing and entering
order.

AN ACT to amend section thirty-two of an act entitled, "An act to revise the law in relation to circuit courts and the superior court of Cook county," approved February 18, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirty-two of an act entitled, "An act to revise the law in relation to circuit courts and the superior court of Cook county," approved February 18, 1874, in force July 1, 1874, be, and the same is hereby, amended to read as follows:

§ 32. The several judges of said courts shall have power in vacation to hear and determine motions to dissolve injunctions, stay or quash executions, appoint or discharge receivers upon such notice as may be fixed by the court, to make all necessary orders to carry into effect any decree previously entered, including the issuance of necessary writs therefor, to order the issuance of writs of *certiorari*, to permit amendments in any process, pleading or proceeding in law or equity. Any such order so made shall be signed by the judge making it, and filed and entered of record by the clerk of the court in which the proceeding is had, and, from the date of such filing, shall

have like force and effect as if made at a regular term of such court. The pendency of a term of court in another county than that in which the suit is pending, or about to be commenced by the same judge, shall not prevent the granting of such order.

APPROVED May 14, 1903.

CIRCUIT COURT—JEFFERSON COUNTY.

§ 1. Terms of court for Jefferson county. Approved May 15, 1903.

AN ACT to fix the time of holding the circuit courts in the county of Jefferson.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the circuit court shall, after the taking effect of this act, be held in the county of Jefferson, as follows: On the second Monday of January, the second Monday of April, the second Monday of July and the second Monday of October in each year: *Provided*, there shall be no jurors summoned for the July terms of court in said county, unless by special order of the judge of said court.

APPROVED May 15, 1903.

CIRCUIT COURTS—TERMS, SECOND CIRCUIT.

§ 1. Amends section 3, act of 1879.

Approved May 9, 1903.

§ 3. Fixes terms of court in Second Circuit.

AN ACT to amend section 3 of "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879; in force July 1, 1879; as amended June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of an act to amend "An act concerning circuit courts and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois exclusive of the county of Cook," approved May 24, 1879; in force July 1, 1879; amended June 11, 1897; in force July 1, 1897; be, and the same is hereby, amended so as to read as follows:

§ 3. Second circuit, in the county of Hardin on the fourth Monday of March and the first Monday of September; in the county of Gallatin on the first Monday of April and October; in the county of White on the third Monday of January, the second Monday of May, and the second Monday of October; in the county of Hamilton on the fourth Monday of February and September; in the county fo

Franklin on the fourth Monday of May and November; in the county of Wabash on the the third Monday of April and November; in the county of Edwards on the second Monday of April and November; in the county of Wayne on the third Monday of January, March, June and October; in the county of Jefferson on the third Monday of February, the second Monday of May, the third Monday of August, the fourth Monday of October and the second Monday of December; in the county of Richland on the third Monday in April, July and November: *Provided*, that the July term shall be devoted exclusively to the trial of chancery cases and to the trial and transaction in civil and criminal cases not requiring a jury, and no jury shall be impaneled for the July term; in the county of Lawrence on the first Monday of May and October, and the first Monday in February: *Provided*, that the February term shall be devoted exclusively to the trial of chancery cases, and to the trial or transactions of any business in civil and criminal cases, not requiring a jury, and no jury shall be impaneled for the February term; in the county of Crawford on the first Monday of March and September.

APPROVED May 9, 1903.

CIRCUIT COURTS—TERMS, FOURTH CIRCUIT.

§ 1. Amends section 5, act of 1879.

Approved May 13, 1903.

§ 5. Fixes terms in Fourth Circuit.

AN ACT to amend section five (5) of an act entitled, "An act to amend an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, approved June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section five (5) of an act entitled, "An act to amend an act concerning circuit courts, and fix the time for holding same in the several counties in the judicial circuits of the State of Illinois exclusive of the county of Cook," as amended and approved June 11, 1897, and in force July 1, 1897, be, and the same is hereby, amended so as to read as follows:

§ 5. FOURTH CIRCUIT.] In the county of Marion on the second Monday of January and the fourth Mondays of April and September; in the county of Clinton on the second Mondays of May and November; in the county of Clay on the second Mondays of March and September; in the county of Fayette on the second Mondays of February and May and the fourth Monday of August; in the county of Effingham on the third Mondays of March and October; in the county of Jasper on the second Monday of April and the first Mon-

day of October; in the county of Montgomery on the third Monday of January and first Mondays of April and November; in the county of Shelby on the fourth Monday of March and the first Monday of June and the second Monday of November; in the county of Christian on the second Monday of March and fourth Mondays of August and November: *Provided*, the June term in Shelby county shall have no juries summoned, unless the same is done on the written order of the judge, made thirty (30) days prior to the first day of the term.

APPROVED May 13, 1903.

CIRCUIT COURTS—TERMS, FIFTH CIRCUIT.

§ 1. Amends section 6, act of 1879.

Approved May 14, 1903.

§ 6. Fixes terms in Fifth Circuit.

AN ACT to amend section six (6) of an act entitled, "An act to amend an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, approved June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section six (6) of an act entitled, "An act to amend an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," as amended and approved June 11, 1897, and in force July 1, 1897, be, and the same is hereby, amended so as to read as follows:

§ 6. FIFTH CIRCUIT.] In the county of Vermilion on the third Monday of January, the third Monday of May, the first Monday of October; in the county of Edgar on the second Monday of February, the first Monday of June and second Monday in November; in the county of Clark on the first Monday in March and first Monday in September; in the county of Cumberland on the first Monday of June and fourth Monday of November; in the county of Coles on the third Monday of April, the second Monday of October and second Monday of January: *Providing*, no grand jury shall be summoned for the January term of Coles county unless ordered by the court: *Provided, further*, that no grand or petit jury shall be summoned for the February term of Edgar county unless ordered by the judge assigned to hold such term of court.

APPROVED May 14, 1903.

CIRCUIT COURTS—TERMS, SIXTH CIRCUIT.

§ 1. Amends section 7, chapter 37.

Approved May 11, 1903.

§ 7. Fixes terms of court, Sixth Circuit.

AN ACT to amend section seven of chapter thirty-seven of an act fixing the terms of holding court in the several judicial circuits of the State of Illinois, exclusive of Cook county, approved June 11, 1897, and in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section seven of chapter thirty-seven, fixing the terms of holding court in the several judicial circuits of the State of Illinois, exclusive of Cook county, approved June 11, 1897, in force July 1, 1897, be amended to read as follows:

§ 7. SIXTH CIRCUIT.] In the county of Champaign on the first Monday in January, the first Monday in April and the first Monday in September of each year; in the county of Douglas on the second Monday in March and the second Monday in October; in the county of Moultrie on the fourth Monday in September and the first Monday in March; in the county of Macon on the second Monday of January, second Monday of May and the first Monday in October; in the county of DeWitt on the first Monday in May and the second Monday in November; in the county of Piatt on the first Monday in September and the first Monday of February. All process issued after the passage of this act shall be returnable to said terms as herein fixed.

APPROVED May 11, 1903.

CIRCUIT COURTS—TERMS, TENTH CIRCUIT.

§ 1. Amends section 11, act of 1879.

Approved May 14, 1903.

§ 11. Fixes terms for Tenth Circuit.

AN ACT to amend section eleven (11) of an act entitled, "An act to amend an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1897, in force July 1, 1879, approved June 11, 1897, in force July 1, 1879, as amended by an act approved May 11, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section eleven (11) of an act entitled, "An act to amend an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, approved

June 11, 1897, in force July 1, 1897, as amended by an act approved May 11, 1901, in force July 1, 1901, be amended so as to read as follows:

§ 2. § 11. TENTH CIRCUIT.] In the county of Peoria on the second Monday in January, March, May, September and November; in the county of Tazewell on the first Monday in December and second Monday in February, on the first Monday in May and second Monday in September; in the county of Marshall on the second Monday in January, fourth Monday in May and first Monday in October; in the county of Stark on the second Monday in February, first Monday in June and third Monday in October; in the county of Putnam on the third Monday in April and third Monday in October: *Provided*, that no grand or petit jury shall be summoned for the June term of Stark county unless ordered by the judge assigned to hold such term of court.

APPROVED May 14, 1903.

CIRCUIT COURTS—TERMS, ELEVENTH CIRCUIT.

§ 1. Amends section 12, act of 1879.

§ 12. Fixes time for holding court in Eleventh Circuit.

§ 2. Emergency.

Approved May 13, 1903.

AN ACT to amend section 12 of "An act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 12 of an act entitled "An act concerning circuit courts, and to fix the time of holding the same in the several counties of the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897, be amended so as to read as follows:

§ 12. ELEVENTH CIRCUIT.] In the county of McLean on the second Monday of September, the first Monday of November, the first Monday of February and the fourth Monday of April; in the county of Livingston the second Tuesday of January, the second Tuesday of May and the second Tuesday of October; in the county of Logan on the third Monday of January, the third Monday of May and the third Monday of September; in the county of Ford on the first Tuesday of April, the second Tuesday of August and the first Tuesday of December; in the county of Woodford on the fourth Tuesday of April, the first Tuesday of September and the second Tuesday of December.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 13, 1903.

COUNTY COURTS—APPOINTMENT OF REPORTERS.

§ 1. County judges may appoint reporters in certain counties—tenure of office—substitutes.

§ 3. Oath of reporter.

Approved May 14, 1903.

§ 2. Duties of reporters—fees fixed—when taxed as costs.

AN ACT to authorize the judges of county courts to appoint shorthand reporters for the taking and preservation of evidence, and to provide for their compensation, in counties having a population not more than two hundred thousand.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the several judges of the county courts in this State, in counties having a population not more than two hundred thousand, be, and they are hereby, authorized to appoint a shorthand reporter for their respective courts, whose duties shall be as hereinafter specified. The reporter so appointed shall hold his position during the pleasure of the judge appointing him; not, however, to extend beyond the time the judge making such appointment shall be elected for: *Provided, however,* that in case of the absence or disability of such reporter so appointed, the judge may appoint any other reporter to act in his place during such absence or disability.

§ 2. The said reporter shall take full stenographic notes of the evidence in all trials in the court, for which he is appointed, in all cases which are appealable directly to either the appellate or supreme court, and furnish forthwith one transcript of the same, correctly made, to either party to the suit, upon the request of such party or his attorney. The compensation of said reporter for taking such stenographic notes shall be fixed by the judge appointing him at any sum not exceeding five dollars per day for each day of his actual attendance upon the trials of such cases as are appealable direct to either the appellate or supreme court. The judge of the court shall furnish to said reporter, at the close of each term of court, a certificate showing the amount due him at such per diem, and, upon presentation to the county treasurer of such county, the county treasurer shall pay the same out of any funds of such county in his hands. Said reporters shall be allowed to charge not to exceed fifteen cents per hundred words, said amount to be fixed by the court, for making transcript of said stenographic notes, to be paid in the first instance by the party on whose behalf such transcript is ordered and allowed, and taxed as costs in the suit, and the transcript when so paid by the party ordering it and the charges for the same is taxed as costs, the same shall be filed, and remain with the papers in the case: *Provided always,* that the charges for making but one transcript may be taxed as costs, the party first ordering the transcript shall have the preference, unless it shall be otherwise ordered by the court.

§ 3. Said reporter shall, before entering upon the duties of his office, take and subscribe the official oath to faithfully discharge the duties of his office to the best of his knowledge and ability.

APPROVED May 14, 1903.

COUNTY COURTS—DE KALB COUNTY.

§ 1. Amends section 27, act of 1874.

Approved May 14, 1903.

§ 27. Law terms in DeKalb county.

AN ACT to amend section 27 of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time of holding the same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 27 of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874, be, and the same is hereby, amended so as to read as follows:

§ 27. LAW TERMS.] In the county of DeKalb on the second Monday of April, September and December of each year.

APPROVED May 14, 1903.

COUNTY COURTS—KANE COUNTY.

§ 1. Amends section 53, act of 1874.

Approved May 14, 1903.

§ 53. Law terms for Kane county—
emergency.

AN ACT to amend section 53 of an act entitled "*An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time of holding the same and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 53 of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal and [an] act therein named,*" approved March 26, 1874, in force July 1, 1874, be, and the same is hereby, amended so as to read as follows:

§ 53. LAW TERMS.] In the county of Kane on the second Monday of March, June, September and December of each year. WHEREAS, An emergency exists, therefore, this act shall take effect from and after its passage.

APPROVED May 14, 1903.

COUNTY COURTS—PEORIA COUNTY.

§ 1. Amends section 80, act of 1874.

Approved May 13, 1903.

§ 80. Terms in Peoria county.

AN ACT to amend section 80 of an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended by act approved and in force April 9, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section eighty (80) of an act entitled "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended by act approved and in force April 9, 1891, be, and the same is hereby, amended so as to read as follows:

§ 80. Peoria on the second Monday of February, the second Monday of April, the second Monday of June, the first Monday of October and the first Monday of December of each year.

APPROVED May 13, 1903.

COUNTY COURTS—SANGAMON COUNTY.

§ 1. Fixes time for holding court in Sangamon county.

§ 2. Emergency.

Approved March 26, 1903.

AN ACT to amend section 91 1-2 of an act entitled "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended by an act approved March 25, 1887, in force March 25, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That an act entitled "An act to amend an act entitled 'An act to amend section ninety-one and one-half (91½) of an act entitled 'An act to extend the jurisdiction of county courts, and to provide for the practice thereof, and to fix the time for holding the same, and to repeal an act therein named,' approved March 26, 1874; approved April 6, 1875; approved March 25, 1887; be, and the same is hereby, amended so as to read as follows:

Section ninety-one and one-half (91½). "Sangamon on the first Monday in August, October, December, February, April and June."

§ 2. For the reason that a term of said court intervenes between this time and the first day of July next, an emergency exists, and this act shall be in force from and after its passage.

APPROVED March 26, 1903.

COUNTY COURTS—ST. CLAIR COUNTY.

§ 1. Amends section 90, act of 1874.

Approved May 13, 1903.

§ 2. Emergency.

AN ACT to amend section ninety (90) of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section ninety (90) of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874, be, and the same is hereby, amended to read as follows: Section 90. St. Clair in March, June and November.

§ 2. For the reason that all applications for judgment and order of sale for taxes and special assessments on delinquent lands and lots are required by law to be made at the June term of the county court, and, WHEREAS, A June term of said court is necessary prior to the first day of July next, an emergency exists, and this act shall be in force from and after its passage.

APPROVED May 13, 1903.

COUNTY COURTS—WILL COUNTY.

§ 1. Fixes time for holding court in Will county.

§ 3. Repeal.

Approved April 3, 1903.

§ 2. Emergency.

AN ACT to amend section 106 of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874, as amended by an act approved May 10, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 106 of an act entitled "*An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding same, and to repeal an act therein named,*" approved March 26, 1874, in force July 1, 1874, as amended by an act approved May 10, 1901, in force July 1, 1901, be, and the same is hereby, amended so as to read as follows:

§ 106. Will. In February, April, June, August, October and December.

§ 2. WHEREAS, An emergency exists, and this act shall be in force and effect from and after its passage.

§ 3. All acts or parts of acts in conflict herewith are hereby repealed.

APPROVED April 3, 1903.

COUNTY AND PROBATE COURTS—INTERCHANGE OF JUDGES.

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| § 1. County and probate judges given same privileges as circuit judges as to interchange of duties. | Approved May 13, 1903. |
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AN ACT to authorize the several county and probate judges in this State to interchange, hold court for each other, and perform each other's duties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the county and probate judges in the several counties of this State, with like privileges as the judges of the circuit courts of this State, may interchange with each other, hold court for each other, and perform each other's duties, in their own or any other county, when they find it necessary or convenient.

APPROVED May 13, 1903.

SUPREME COURT—FOURTH DISTRICT DEFINED.

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| § 1. Changes boundaries of 4th district.
§ 2. Names counties taken from other districts. | § 3. Fixes date of election in 4th district.
Approved April 3, 1903. |
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AN ACT changing the boundaries of the Fourth Supreme Court District of the State of Illinois, and thereby affecting the boundaries of other districts therein named and providing for an election in said fourth district.

WHEREAS, The Constitution of this State provides that the boundaries of the districts for the election therein of judges of the Supreme Court may be changed at the session of the General Assembly next preceding the election for judges therein, and at no other time; and,

WHEREAS, There will be held an election for a judge of the Supreme Court in the said Fourth Supreme Court District on the first Monday of June, 1903, under the Constitution of this State; and,

WHEREAS, Said Fourth Supreme Court District has a less number of inhabitants by more than 100,000, according to the census of 1900, than any other one of the seven districts for the election of Supreme Judges in the State of Illinois; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the boundaries of the said fourth Supreme Court district are hereby changed so that, after the passage of this act, said district shall be composed of the following counties, to-wit: Rock Island, Mercer, Warren, Henderson, Fulton, McDonough, Hancock, Adams, Schuyler, Brown, Mason, Menard, Morgan and Cass.

§ 2. After the passage of this act, said county of Rock Island shall cease to be a part of the sixth Judicial District for the election of Supreme Judge, and shall constitute a part of said fourth district, as hereinbefore provided; said counties of Mercer, Warren and Henderson shall cease to be a part of the fifth district for the election of Supreme Judge, and shall constitute a part of said fourth district, as hereinbefore provided; and said counties of Pike and Scott shall cease to be a part of said fourth district, and are added to and shall form a part of the second district for the election of Supreme Judge.

§ 3. On the first Monday of June, A. D. 1903, and every nine years thereafter, as provided by law, there shall be elected a judge of the Supreme Court in said fourth district as composed of the counties mentioned in section one of this act.

APPROVED April 3, 1903.

SUPREME COURT—LIBRARIAN.

§ 1. Amends section 17, act of 1874.

Approved May 14, 1903.

§ 17. Appointment of librarian—
duties to be prescribed by
court—compensation—bond.

AN ACT entitled "*An act to amend section 17 of an act entitled 'An act to revise the law in relation to the Supreme Court,' approved March 23, 1874, in force July 1, 1874.*"

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 17 of an act entitled, "*An act to revise the law in relation to the Supreme Court,*" approved March 23, 1874, in force July 1, 1874, be, and the same is hereby, amended to read as follows:

§ 17. The judges of the Supreme Court shall appoint a librarian for the Supreme Court library, located at the State Capitol, and prescribe his duties, and fix his compensation not exceeding eighteen hundred dollars per year, to be paid as other expenses of the Supreme Court are paid. Such librarian, before entering upon the duties of his office, shall give bond payable to the People of the State of Illinois in the penal sum of one thousand dollars, with security to be approved by two judges of said court, conditioned for the due preservation of the books belonging to the library, in his charge, and for the faithful performance of his duties as such librarian.

APPROVED May 14, 1903.

CRIMINAL CODE.

ABANDONMENT OF WIFE AND CHILDREN.

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| <p>§ 1. Abandonment of wife or child a misdemeanor—penalty—fine may be paid to wife or child—weekly payments—probation—recognizance—forfeiture.</p> | <p>§ 2. Evidence required.
§ 3. Repeal.</p> |
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Approved May 13, 1903.

AN ACT making it a misdemeanor to abandon or wilfully neglect to provide for the support and maintenance, by any person, of his wife, or of his or her minor children in destitute or necessitous circumstances.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every person who shall, without good cause, abandon his wife and neglect and refuse to maintain and provide for her, or who shall abandon his or her minor child or children, under the age of twelve years, in destitute or necessitous circumstances, and wilfully neglect or refuse to maintain and provide for such child or children, shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars, or by imprisonment in the county jail, house of correction or workhouse not less than one month or more than twelve months, or by both such fine and imprisonment; and, should a fine be imposed, it may be directed by the court to be paid, in whole or in part, to the wife, or to the guardian or custodian of the minor child or children: *Provided:* that before the trial (with the consent of the defendant), or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the court in its discretion, having regarded the circumstances and financial ability of the defendant, shall have the power to pass an order, which shall be subject to change by it from time to time, as the circumstances may require, directing the defendant to pay a certain sum weekly for one year to the wife, guardian or custodian of the minor child or children, and to release the defendant from the custody, on probation, for the space of one year upon his or her entering into a recognizance, with or without sureties, in such sums as the court may direct. The conditions of the recognizance shall be such that, if the defendant shall make his or her personal appearance in court whenever ordered to do so within a year, and shall further comply with the terms of the order, then the recognizance shall be void, otherwise of full force and effect. If the court be satisfied by information and due proof, under oath, that at any time during the year the defendant has violated the terms of such order, it may forthwith proceed with the trial of the defendant under the original indictment, or sentence him or her under the original conviction, as the case may be. In a case of forfeiture of a recognizance and enforcement thereof by execution, the sum recovered may, in the discretion of the court, be paid in whole or in part to the wife, guardian or custodian of the minor child or children.

§ 2. No other evidence shall be required to prove marriage of such husband and wife, or that such person is the lawful father or mother of such child or children, than is or shall be required to prove said facts in a civil action, and such wife shall be a competent witness to testify in any case brought under this act, and to any and all matters relevant thereto, including the fact of such marriage and the parentage of such child or children.

§ 3. All acts and portions thereof in conflict herewith, are hereby repealed.

APPROVED May 13, 1903.

ADMINISTRATOR, EXECUTOR, ETC., FAILING TO REPORT.

§ 1. Enacting clause.

Approved May 13, 1903.

§ 81½. Administrator, executor,
guardian, etc., refusing to
report guilty of larceny.

AN ACT to amend an act entitled, "*An act to revise the law in relation to criminal jurisprudence,*" approved March 27, 1874, in force July 1, 1874, by adding thereto the following to be known as section 81 1-2.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "*An act to revise the law in relation to criminal jurisprudence,*" approved March 27, 1874, in force July 1, 1874, be, and the same is hereby amended by adding thereto the following, to be known as section 81½.

§ 81½. Whoever, being the administrator of the estate of a decedent, or the executor of a last will, or guardian of any minor, conservator of any idiot, distracted person, drunkard, spendthrift or insane person, or trustee or other person acting in any fiduciary capacity, without good cause, fails or refuses, when legally required by the proper person or authority, to account for or pay over to such person or persons as may be lawfully entitled to receive the same, any money, choses in action, or other property which may have come into his hands by virtue of his office, duty or trust, shall be deemed guilty of larceny.

APPROVED May 13, 1903.

BANKS RECEIVING DEPOSITS WHEN INSOLVENT.

§ 1. Amends section 1, act of 1879. §

Approved May 13, 1903.

§ 1. Receiving deposit by insolvent
concern declared embezzle-
ment—penalty.

AN ACT to amend section 1 of an act entitled "*An act for the protection of bank depositors,*" approved June 4, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an act en-

titled, "An act for the protection of bank depositors," approved June 4, 1879, in force July 1, 1879, be, and the same is hereby amended so as to read as follows, to-wit:

§ 1. That if any banker or broker, or person or persons doing a banking business, or any officer of any banking company, or incorporated bank doing business in this State, shall receive from any person or persons, firm, company or corporation, or from any agent thereof, not indebted to said banker, broker, banking company, or incorporated bank, any money, check, draft, bill of exchange, stocks, bonds, or other valuable thing which is transferable by delivery, when at the time of receiving such deposit, said banker, broker, banking company or incorporated bank is, in his or its knowledge, insolvent, whereby the deposit so made shall be lost to the depositor, said banker, broker or officer, so receiving such deposit, shall be deemed guilty of embezzlement, and, upon conviction thereof, shall be fined in a sum double the amount of the sum so embezzled and fraudulently taken, and, in addition thereto, may be imprisoned in the State penitentiary, not less than one nor more than three years.

APPROVED May 13, 1903.

CHAUTAUQUA ASSOCIATIONS—PROTECTION PROVIDED.

- § 1. Special police — appointment — oath — certificate — badge — powers.
- § 2. Trespass on premises prohibited — penalty.

- § 3. Arrests without warrant.

Approved May 15, 1903.

AN ACT for the protection of Chautauqua associations, for the appointment by them of special police officers, and to fix penalties for the violation of the rules of such associations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be lawful for any Chautauqua association incorporated under any law of the State of Illinois, to select and appoint, at or before the time of holding its annual assembly, as many persons to act in the capacity of special policemen as may by said association be deemed requisite to insure peace and good order, and to prevent trespasses on, in, and about the grounds, building and place of holding such assembly, for and during the holding of the same: *Provided,* that every such person, before entering upon the duties of special policeman, shall take the oath of office before any judge or justice of the peace residing in the county in which such assembly is to be, or is being held, and shall receive from such judge or justice of the peace a certificate, under his hand and seal, of such appointment and authority to act as such special policeman, and which appointment and authority shall be indicated by some appropriate badge of office, and when so authorized, he shall be clothed with full police power.

§ 2. That whoever, during the holding of any annual assembly of any Chautauqua association, shall, with intent to defraud any such assembly, enter or shall attempt to enter, or shall remain on the grounds or enclosure of any building within or upon which such assembly is being held, without having permission from the proper authorities thereof, or without having purchased and surrendered a ticket of admission which shall entitle him so to enter and remain, or without having complied with the published rules of such association in regard to entrance thereto, or remaining thereon, shall, upon conviction, be fined not less than two nor more than twenty dollars for each offense.

§ 3. Any special policeman appointed and authorized pursuant to this act, and any sheriff, coroner, constable or other officer authorized to make arrests, shall have the power, upon view without warrant or with warrant, to arrest any person or persons, for the violation of any provision of this act.

APPROVED May 15, 1903.

CIVIL RIGHTS OF CITIZENS.

§ 1. Amends section 42i, act of 1874.

Approved May 15, 1903.

§ 42i. All citizens of this State guaranteed equal enjoyment of certain rights enumerated.

AN ACT to amend section 42i of "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended by act approved June 10, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 42i of "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended by act approved June 10, 1897, in force July 1, 1897, be amended to read as follows:*

§ 42i. That all persons within the jurisdiction of said State of Illinois shall be entitled to the full and equal enjoyment of the accommodation, advantages, facilities and privileges of inns, restaurants, eating houses, hotels, soda fountains, saloons, barber shops, bath rooms, theaters, skating rinks, concerts, cafés, bicycle rinks, elevators, ice cream parlors or rooms, railroads, omnibuses, stages, street cars, boats, funeral hearses and public conveyances on land and water, and all other places of public accommodation and amusement, subject only to the conditions and limitations established by law, and applicable alike to all citizens.

APPROVED May 15, 1903.

EXPLOSIVES—MANUFACTURE REGULATED.

§ 1. Amends section 4, act of 1887.

Approved May 15, 1903.

§ 4. Location of factory—permit to manufacture — violations of act a felony—penalty.

AN ACT to amend section 4 of an act of the General Assembly of the State of Illinois, entitled "An act to regulate the manufacture, transportation, use and sale of explosives, and to punish an improper use of the same," approved June 16, 1887, and in force July 1, 1887, and amended by an act of the General Assembly of the State of Illinois, approved May 28, 1889, and in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 4 of an act of the General Assembly of the State of Illinois, entitled "An act to regulate the manufacture, transportation, use and sale of explosives, and to punish an improper use of the same," approved June 16, 1887, in force July 1, 1887, as amended by an act of the General Assembly of the State of Illinois, approved May 28, 1889, and in force July 1, 1889, so that the same shall read as follows:

§ 4. That no person, firm, company or corporation shall make, manufacture or compound, within the limits of this State, any dynamite, nitro-chlorate or other explosive compound within one-half ($\frac{1}{2}$) mile of any inhabited dwelling, without first having obtained the consent in writing of a majority of the legal voters residing within a radius of one-half ($\frac{1}{2}$) mile of such place of making, manufacturing or compounding: *Provided*, that nothing in this section shall authorize the manufacture or compounding of any dynamite, nitro-chlorate or other explosive within any incorporated city or village; and no person, firm, company or corporation shall make, manufacture or compound any dynamite, nitro-chlorate or any other explosive compound without a permit for such purpose, signed by the county clerk of the county in which said manufacturing or compounding is desired to be done, duly attested with the seal of such official, and said county clerk shall issue such permit when the consent in writing is presented of a majority of the adult residents and legal voters residing within a radius of one-half ($\frac{1}{2}$) mile of such place of making and manufacturing, and filed with him, and the official issuing said permit shall keep a record of said permit and contents, and of the names and residences of the persons to whom such writ or permit is issued. The officer authorized by this act shall not issue such permit, unless the purpose for which such explosive or compound is to be manufactured, is a lawful one. Any person, firm, company or corporation making any such compound without such permit shall be guilty of a misdemeanor, and, upon conviction thereof, shall be subject to a fine and imprisonment in the county jail of not to exceed one year, or both, in the discretion of the court, such fine to be not less than two hundred dollars nor more than one thousand dollars,

and for a second offense shall be deemed guilty of a felony, and be subject to imprisonment in the penitentiary for not less than one year nor more than five years, and a fine of not less than five hundred dollars nor more than two thousand dollars.

APPROVED May 15, 1903.

DRAINAGE.

DRAINAGE DISTRICT BENEFITED BY ANOTHER DISTRICT.

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| <p>§ 1. Improvements in lower district benefiting upper district.</p> <p>§ 2. Proceedings against upper district by lower district.</p> <p>§ 3. Petition—summons—hearing.</p> | <p>§ 4. Court shall render judgment.</p> <p>§ 5. Proof required at hearing.</p> <p>§ 6. Payment of award—assessment to make payment.</p> |
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Approved May 14, 1903.

AN ACT to require drainage districts lying above a lower drainage district, or emptying into a lower drainage district, whether such districts be organized under the same or different drainage laws of this State, to pay to the lower drainage district, for benefits received, if any, by the lands of the upper district, by the enlarging or improving of the ditches or drains of the lower district, or the construction of an outlet or outlets for the ditches or drains of the lower district, within or outside the boundaries of said lower district; and to provide for the collection and payment of such benefits.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That whenever any drainage district heretofore, or that may hereafter be organized under any drainage law or drainage act of this State, enlarges or improves its ditch, ditches or drains, or extends the outlet or outlets of its ditch, ditches or drains within or beyond its boundaries, in the manner provided by law, so as to benefit the lands or any part thereof, within any drainage district or districts lying above such district, or emptying into such district, such upper district or districts so benefited shall be liable to the lower district so enlarging or repairing its ditch, ditches or drains, or extending its outlet or outlets as aforesaid, for the just proportion of the cost of the work of said lower district that such upper district or districts will [will] be benefited by the work of such lower district; and the fact that the lower district constructing the work herein mentioned is organized and operating under a different drainage act or drainage law of this State from that under which said upper district or districts, or district or districts emptying into said lower district, is or was organized or is operating, shall not preclude a recovery hereunder by such lower district.*

§ 2. *Whenever such lower district enlarges or improves its ditch, ditches or drains, or extends its outlet or outlets, in the manner pro-*

vided in the preceding section, so as to benefit the lands of any upper district, or district or districts emptying into such lower district, it shall be the duty of the commissioners of such lower district, in case the amount of benefits to be paid to the lower district cannot be adjusted with the commissioners of such upper district or districts; or district or districts emptying into such lower district, to file a petition, sworn to by at least two of the commissioners of said lower district, in the county court of the county where such lower district was organized, against such upper district or districts, or such district or districts emptying into such lower district, setting forth the facts and other matters under which the lower district claims relief, together with a map, profile and specifications of the work done or proposed to be done by said lower district, together with an estimated cost thereof of such work.

§ 3. Upon the filing of such petition, the usual common law summons shall issue out of said court against such upper district or districts, or district or districts emptying into such lower district, which summons shall be served upon the commissioners of such upper district or districts, or district or districts emptying into such lower district, as in common law cases. Said cause shall be heard and tried at any probate or common law term of said court, and the practice shall be as in cases at common law.

§ 4. Upon the hearing of said cause, the court shall determine from the evidence what sum, if any, the lower district shall receive from the upper district or districts, or district or districts emptying into such lower district, and shall render judgment therefor accordingly.

§ 5. Upon such hearing, it shall not be necessary for the lower district to prove or establish that it has completed the construction of the work of enlarging or improving its ditches and drains, or the work of constructing the outlet or outlets of its district, but it shall be sufficient that such work be laid out and approved by the authority provided by law, to authorize the construction of said work in such lower district.

§ 6. The commissioners of the district against which judgment shall be entered, as provided for in section 4 of this act, shall, without delay, pay the same out of the funds of said district, if any, that may be lawfully applied for that purpose; otherwise the commissioners shall, without delay, levy an assessment against the lands of such district for the purpose of paying such judgment, in the manner provided by the drainage law or act under which said district at the time of the rendition of said judgment may be organized or operating.

APPROVED May 14, 1903.

DRAINAGE DISTRICTS—ORGANIZATION OF SUB-DISTRICTS.

§ 1. Amends section 59, act of 1885.

Approved May 13, 1903.

§ 59. Organization of sub-districts—
application of owners—duties
of drainage commissioners—
action of court—funds of sub-
district kept separate.

AN ACT to amend section 59 of an act entitled "*An act to revise and amend an act and certain sections thereof entitled 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879, as amended by certain acts herein entitled and to repeal certain laws therein named,*" approved June 30, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 59 of "*An act to revise and amend an act, and certain sections thereof, entitled 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879, as amended by certain acts herein entitled, and to repeal certain laws therein named,*" approved June 30, 1885, in force July 1, 1885, be, and the same is hereby, amended so as to read as follows:

§ 59. If, after an assessment of lands throughout the district has been made for the purpose of constructing the work laid off according to the profiles, plats and specifications of the commissioners, as reported and confirmed, it shall appear to the commissioners on application of some owner or owners of land in the district, that additional ditches, drains, outlets or other work over other lands are needed, in order to afford complete drainage by outlets, or protection to some particular tract or tracts of land of such owner, it shall be the duty of such commissioners to examine such lands, and lay off and make plans, profiles and specifications of such additional work, and costs of the same, and make a special report thereof, and file the same in the county court; such report being filed, the commissioners shall give the owner who made such application, and other persons interested in such tracts of land over which the proposed ditches or drains are sought to be constructed, ten days notice of the filing and hearing of such report in the manner required by section three of this act; said notice shall state that the commissioners will appear at a day mentioned in said notice, and ask said court for a confirmation of such special report and upon confirmation thereof by the court, a special assessment of benefits and damages shall be made upon the particular lands benefited by the proposed work, by the commissioners or a jury; and like proceedings shall be had therein as in other cases of assessment of benefits and damages provided by this act. The affidavit of any of the commissioners, or any other creditable person, of the posting and mailing thereof

affixed to a copy of said notice, shall be sufficient evidence of the posting and mailing of said notices, and the certificate of the publisher of the newspaper in which the said notice was published shall be sufficient evidence of the publication of such notice. Upon confirmation of said special report by the court, it shall be the duty of the court to declare the lands found to be affected by the work proposed by said special report, to be organized into a sub-district, and all assessments received or collected in such sub-district for the work of such sub-district, shall be kept as a separate fund belonging to such sub-district.

APPROVED May 13, 1903.

DRAINAGE—"DITCH" DEFINED.

§ 1. Amends section 57, act of 1879.

Approved May 14, 1903.

§ 57. "Ditch" defined—straightening and cleansing natural water courses—section applies to all drainage districts.

AN ACT to amend section fifty-seven (57) of an act entitled, "An act to revise and amend an act, and certain sections thereof, entitled, 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,'" approved and in force May 29, 1879, as amended by certain acts herein entitled, and to repeal certain laws therein named, approved June 30, 1885, in force July 1, 1885, as further amended by an act approved and in force June 3, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section fifty-seven (57) of an act entitled, "An act to revise and amend an act, and certain sections thereof, entitled, 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the land of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,'" approved and in force May 29, 1879, as amended by certain acts herein entitled, and to repeal certain laws therein named, approved June 30, 1885, in force July 1, 1885, as further amended by an act approved and in force June 3, 1889, be, and the same is hereby, amended so as to read as follows:

§ 57. MEANING OF THE WORD DITCH. WHAT ACT INCLUDES.] The word ditch when used in this act, shall be held to include any drain or water course, and the petition for any drainage district shall be held to mean and include any side, lateral, spur, or branch ditch or drain, whether open, covered or tiled, or any natural watercourse into which such drains or ditches may enter for the purpose of outlet, whether such watercourse is situated in or outside of the district.

And to secure complete drainage of the lands within any drainage district, the commissioners are hereby vested with full power to widen, straighten, deepen or enlarge any such watercourse, or remove driftwood or rubbish therefrom, whether such watercourse is situated in, outside or below any drainage district; and, when it is necessary, straighten such natural watercourse by cutting of new channel upon other lands, the value of such lands to be occupied by such new channel, and damages if any, made by such work, may be ascertained and paid in the manner that is now or may hereafter be provided by any law providing for the exercise of the right of eminent [eminent] domain in force in this State. The expenses of the work provided for in this section shall be paid from moneys arising from assessments upon lands within the district. This section shall apply to any and all drainage districts that have been heretofore, or may hereafter be organized under this act.

APPROVED May 14, 1903.

DRAM SHOPS.

LICENSING OF SOLICITORS FOR LIQUOR TRADE.

§ 1. Soliciting unlicensed persons to keep a dramshop — soliciting orders for sales of liquors—penalty.

§ 2. Solicitors must have license—bond—nature of license—fee.

Approved May 15, 1903.

AN ACT to provide for the granting of licenses for the sale of spirituous or vinous liquors, and providing for a penalty for a violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whoever on his own behalf, or as the agent of another, without having a license so to do, as provided by this act, shall solicit any person, firm or corporation not having a license to keep a dram shop under the laws of this State, or to a licensed physician or druggist, to buy or contract for the future delivery of, or to make an order for any spirituous or vinous liquors in any less quantity than five (5) gallons, or shall on his own behalf, or as such agent, or as the agent of the purchaser make an order or contract for the future delivery of any such liquor to any such person, firm or corporation, shall be subject to a fine of not less than \$50 nor exceeding \$200, and to imprisonment in the county jail not less than thirty (30) days nor more than ninety (90) days for each offense, or both such fine and imprisonment, in the discretion of the court.

§ 2. The county boards in counties under township organization, and the county commissioners in counties not under township organization of each county in counties of the first and second class, may grant licenses to persons to act on their own behalf, or as agents for others in the sale of spirituous or vinous liquors for future delivery in their respective counties as they may think the public good requires, upon the application by petition of a majority of the legal voters of said county, and before such license shall be issued, such applicant shall furnish a good and sufficient bond in the sum of not less than \$1,000, nor more than \$3,000, to be approved by the chairman of the county board, in counties under township organization, and by the chairman of the county commissioners in counties not under township organization, conditioned that the person, so licensed, will act in conformity with the law, and that all fines assessed against the applicant for a violation of this act will, upon final judgment against him, be fully paid. And such license shall set forth the name of the licensee, his place of residence, the place where such agency is to be exercised, the length of time he is authorized to act, the name of his principal, and, in case he is as agent, the name of the sureties on his bond, which shall be recorded in a book provided for that purpose of the county clerk of the county in which such license shall be issued; and said license shall be signed by the chairman of the county board in counties under township organization, and by the chairman of the county commissioners in counties not under township organization, and attested by the county clerk of such county. No such license shall issue for less than \$500 per annum, nor for a shorter time than one (1) year, and the payment of the license fee for the term of one (1) year in advance, shall be a condition precedent to the issue of such license. Said license fees shall be collected by the county clerk upon the issue of such license, and be paid by him immediately into the county treasury of such county, and become a part of the general revenue of such county: *Provided*, nothing in this act shall prohibit any person, firm or corporation upon their own behalf, or by an agent, from soliciting for the sale of the liquors herein enumerated, within the limits of any city or village for which they have a city or village license for the sale of said liquors.

APPROVED May 15, 1903.

ELECTIONS.

CITY ELECTION LAW—ADOPTION OF ACT.

§ 1. Amends sections 1 and 14, act of 1885.

§ 1. Adoption of act by electors of city.

§ 2. Adoption of act by electors of village or incorporated town.

Approved May 16, 1903.

AN ACT to amend section 1 and 14 of an act entitled, "An act to amend an act entitled, 'An act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State,' approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891," approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 and 14 of an act entitled, "An act to amend an act entitled, 'An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,' approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891," approved April 24, 1899, in force July 1, 1899, be, and the same are hereby amended so as to read as follows:

§ 1. That the electors of any city now existing in this State may adopt and become entitled to the benefits of this act in the manner following:

Whenever one thousand of the legal voters of such city voting at the last preceding election shall petition the judge of the county court of the county in which such city is located, to submit to a vote of the electors of such city the proposition as to whether such city and the electors thereof shall adopt and become entitled to the benefits of this act, it shall be the duty of such county court to submit such proposition accordingly at the next succeeding general State, county or municipal election; and if such proposition is not adopted at such election, the same shall in like manner be submitted to a vote of the electors of such city by said county court upon a like application at any general, State, county or municipal election thereafter, and an order shall be entered of record in such court submitting such proposition as aforesaid. If one thousand shall exceed one-eighth of the legal voters of any such city voting at the last preceding election, then such petition or application need not be signed or made by more than one-eighth of the legal voters of such city voting at the last preceding election.

§ 14. Any village or incorporated town in this State may adopt this act, in like manner, and the same shall be submitted to a vote of the people of the said village or town, upon written application to said county court, of one hundred and fifty electors in such village or town.

APPROVED May 16, 1903.

CITY ELECTION LAW—BALLOT BOX, REPEAL OF SECTION 19, ARTICLE 4.

§ 1. Repeals section 19, article 4, act of 1885. | Approved May 15, 1903.

§ 2. Emergency.

AN ACT to repeal section 19 of article 4 of an act entitled, "*An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,*" approved June 19, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 19 of article 4 of an act entitled, "*An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,*" approved June 19, 1885, in force July 1, 1885, be, and the same is hereby repealed.

§ 2. WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 15, 1903.

CITY ELECTION LAW—DUTY OF JUDGES AND CLERKS.

§ 1. Amends section 18, article 4, act of 1885. | Approved May 15, 1903.

§ 18. Duties of election officers at
close of canvass of votes—
emergency.

AN ACT to amend section 18 of article 4 of an act entitled, "*An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,*" approved June 19, 1885, in force July 1, 1885, as amended by an act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 18 of article 4 of an act entitled, "*An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,*" approved June 19, 1885, in force July 1, 1885, as amended by an act approved April 24, 1899, in force July 1, 1899, be amended so as to read as follows:

§ 18. Thereupon one of the judges of election shall take charge of said poll books and the key to the ballot box. The two judges who do not have charge of the poll books shall each take one of the statements of the votes cast, into his possession, sealed up in the envelopes as aforesaid, and each of the clerks shall take one of the tally sheets, sealed up in the envelopes as aforesaid. Thereupon, and before twelve o'clock of the day after such election, the judge having possession of such poll books shall deliver the same as aforesaid to the board of election commissioners with the seal unbroken, and shall receive a receipt therefor; and the two judges not having possession of the poll books and the two clerks shall each, before twelve o'clock of the next day after such election, deliver the statements and tallies so in their pos-

session respectively, to the respective officers to whom addressed as aforesaid and who, by this act, are entitled to receive the same, and when delivered, each one shall take a receipt from the officer to whom delivered. And none of them shall receive pay for their services as such judges or clerks without the production of the receipts so given them by the officers as aforesaid. It shall be the duty of the respective officers so designated, to whom such poll books, statements and tallies are ordered to be delivered, to receive the same, and to safely keep under lock and key until ordered to be surrendered as herein-after provided. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 15, 1903.

CITY ELECTION LAW—REGISTRATION.

§ 1. Amends sections 32, 33 and 34, act of 1895.

§ 32. Affidavits and registers—care and custody of—violation—penalty.

§ 33. Affidavits and registers—duty of election commissioners concerning.

§ 34. Illegal copying of affidavits or registers—penalty.

§ 2. Emergency.

Approved May 15, 1903.

AN ACT to amend sections 32, 33 and 34 of article 3 of an act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 32, 33 and 34 of article 3 of an act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved April 24, 1899, in force July 1, 1899, be amended so as to read as follows:

§ 32. All affidavits left with the judges of election at any registration, revision of registration or election shall be immediately returned to the office of the election commissioners. Said affidavits, before being so returned, must be enclosed in an envelope provided for that purpose, which shall then be securely sealed with sealing wax or other adhesive material, and each of the judges shall write his name across the seal. Said judges of election of any precinct shall, on the day preceding any registration or election, and upon the day of any revision, call at the office of said commissioners and receive the registers of such precinct, said registers, except the public register, being enclosed in an envelope and sealed with a stamp of the chief clerk of the election commissioner's office. Such envelope shall not be opened by the judges of election until the beginning of the session of registration, revision or election at which the registers are to

be used, and shall only be opened when all of the judges are present. Immediately at the close of any registration, revision or election, the said registers, except the public register, shall be enclosed in an envelope provided for that purpose and securely sealed with sealing wax or other adhesive material, and each of the judges, and each of the election clerks shall write his name across every fold at which the envelope, if unfastened, could be opened. Thereupon said judges shall take such registers so enclosed and sealed and the affidavits and, within the time specified in this act, shall deliver said envelope with registers enclosed to the board of election commissioners, with the seal unbroken, and receive a receipt therefor. There shall be endorsed upon the back of such envelope the number of the precinct and ward of the enclosed registers, and the signature of the judge who delivers the same to the election commissioners. If any judge of election shall break the seal of, or open any envelope containing affidavits or registers, or shall permit any person to open any such envelope or break the seal thereof while the same is in his custody, he shall be deemed guilty of a misdemeanor, and, upon conviction, shall be imprisoned in the county jail not less than three (3) months nor more than twelve (12) months.

§ 33. The said board of election commissioners, upon receipt of said registers so enclosed, shall note the condition of the seal of said envelope, and the signatures of the judges and clerks thereon, and enter the fact touching the same upon a book to be kept by them, together with the name of the officers who returned such registers. They shall thereupon open said envelope and remove the registers contained therein. The public shall not have access to such registers except in the presence of a clerk of the election commissioners and under the direction of the chief clerk.

§ 34. Every judge of election or poll clerk who shall copy any statement contained in any register or affidavit provided in this act, or permit other persons to do so while such register or registers are in their possession, or shall at any election give to any person information contained in any register to assist or aid any person to do an act by law forbidden or in this constituted an offense, he shall upon conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by imprisonment in the county jail for not less than three (3) months nor more than twelve (12) months: *Provided*, that copies of the names and addresses of the voters, together with one answer for each voter from among all the answers as to qualifications written after the name of the voter in the register can be made in the office of the board of election commissioners. Applications to copy the names and addresses and one reply or answer (the one reply or answer desired being specified in the application) must be made to the board of election commissioners, but such copying cannot be done at any time within forty (40) days preceding nor thirty (30) days succeeding an election.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from after its passage.

APPROVED May 15, 1903.

CITY ELECTION LAW—RETURN OF POLL BOOKS.

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| <p>§ 1. Amends section 17, article 4, act of 1885.</p> <p>§ 17. Poll books enclosed in an envelope—judges and clerks to write names across every fold.</p> | <p>§ 2. Emergency.</p> <p>Approved May 15, 1903.</p> |
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AN ACT to amend section 17 of article 4 of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 17 of article 4 of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, be amended so as to read as follows:

§ 17. The poll books shall be enclosed in an envelope, which shall then be securely sealed with sealing wax, or other adhesive material; and each of the judges and each of the clerks shall write his name across every fold at which the envelope, if unfastened, could be opened.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 15, 1903.

CITY ELECTION LAW—STATEMENTS OF RESULT OF CANVASS.

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| <p>§ 1. Amends section 15, article 4, act of 1885.</p> <p>§ 15. Duplicate returns—how disposed of.</p> | <p>§ 2. Emergency.</p> <p>Approved May 15, 1903.</p> |
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AN ACT to amend section 15 of article 4 of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885; as amended by act approved June 18, 1891, in force July 1, 1891; as amended by act approved April 24, 1899, in force July 1, 1899; as amended by act approved May 10, 1901, in force July 1, 1901; as amended by acts approved May 11, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 15 of article 4 of an act entitled "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885; as amended by act approved June 18, 1891, in force July 1, 1891; as amended by act approved April 24, 1899, in force July 1, 1899; as amended by act approved May 10, 1901, in force July 1, 1901; as amended by acts approved May 11, 1901, in force July 1, 1901, be amended so as to read as follows:

§ 15. The said judges of election shall make duplicate statements of the result of the canvass, which shall be written, or partly written and partly printed. Each of the statements shall contain a caption stating the day on which, and the number of the election precinct and the ward, city and county in relation to which such statements shall be made, and the time of opening and closing of the polls of such election precinct. It shall also contain a statement showing the whole number of votes given for each person, designating the office for which they were given, which statement shall be written, or partly written and partly printed, in words at length; and in case a proposition of any kind has been submitted to a vote at such election, such statements shall also show the whole number of votes cast for or against such proposition, written out, or partly written and partly printed, in words at length. And at the end thereof a certificate that such statement is correct in all respects; which certificate, and each sheet of paper forming part of the statement, shall be subscribed by the said judges and election clerks. If any judge or election clerk shall decline to sign such return, he shall state his reasons therefor in writing, and a copy thereof, signed by himself, shall be enclosed with each return. Each of the statements shall be enclosed in an envelope, which shall then be securely sealed with sealing wax, or other adhesive material; and each of the judges and each of the election clerks shall write his name across every fold at which the envelope, if unfastened, could be opened. One of the envelopes shall be directed to the county clerk and one to the comptroller of the city, or to the officer of such city whose duties correspond with those of comptroller. Each set of tallies shall also be signed by the election clerks and judges of the election. And each shall be enclosed in an envelope, securely sealed and signed in like manner; and one of the envelopes shall be directed on the outside to the election commissioners and the other to the city, village or town clerk. On the outside of every envelope shall be endorsed whether it contains the statements of the votes cast or the tallies, and for what precinct and ward, village or town.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 15, 1903.

ELECTION PRECINCTS—FORMATION.

1. Amends sections 30 and 33, act of 1872.

§ 30. Division of county into voting precincts — how described — readjustment — report of changes to Secretary of State — other provisions.

§ 33. Judges of election in counties under township organization — appointment — term — vacancies.

§ 2. Repeal.

Approved May 15, 1903.

AN ACT to amend sections thirty (30) and thirty-three (33) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved June 3, 1897, in force July 1, 1897, and as amended by an act approved April 24, 1899, in force July 1, 1899; as amended by acts approved May 10, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections thirty (30) and thirty-three (33) of an act entitled "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved June 3, 1897, in force July 1, 1897, and as amended by [by] an act approved April 24, 1899, in force July 1, 1899, as amended by acts approved May 10, 1901, in force July 1, 1901, be, and the same are hereby, amended so as to read as follows:

§ 30. The county board in each county shall, at its regular meeting in the month of June, or an adjourned meeting in the month of July, 1903, divide its election precincts which contain more than four hundred and fifty (450) voters, into election districts, so that each district shall contain, as near as may be practicable, four hundred (400) voters, and not more in any case than four hundred and fifty (450). Said district shall be composed of contiguous territory, and in as compact form as can be for the convenience of the electors voting therein. The several county boards in establishing said districts, shall describe them by metes and bounds, and number them. And so often thereafter as it shall appear by the number of votes cast at the general election held in November of any year, that any election district or undivided election precinct contains more than four hundred and fifty (450) voters, the county board of the county in which said district or precinct may be, shall, at its regular meeting in the month of June, or an adjourned meeting in the month of July, next, after such November election, redivide or readjust such election district, or election precinct, so that no district or election precinct shall contain more than the number of votes above specified. If, for any reason, said county board shall fail in any year to redivide or readjust said election districts or election precincts, then said districts or precincts as then existing, shall continue until the next regular June meeting of said county board; at which regular June meeting, or an adjourned meeting in the month of July, said county board shall redivide or readjust said election districts, or election

precincts in manner as herein required. And on or before the first [1st] day of September, 1903, the county clerk in each county shall make a correct list of all election districts and election precincts into which the county is divided, designating each by its name or number, or name and number as the case may be, and forward said list to the Secretary of State; and, thereafter, when at any meeting of the county board any redivision, readjustment or change in name or number of election districts or election precincts, is made by the said county board, it shall be the duty of the county clerk to immediately notify the Secretary of State of such redivision, readjustment or change. The county board in every case, shall fix and establish the places for holding elections in its respective county, and all general and special elections, town meeting elections or town elections, shall be held at the places so fixed. The said polling places shall in all cases be upon the ground floor in the front room, the entrance to which is in a highway or public street, which is at least forty (40) feet wide, and is as near the center of the voting population of the district as is practicable, and for the convenience of the greatest number of electors to vote thereat; and in no case shall an election be held in any room used or occupied as a saloon, dram shop, bowling alley or as a place of resort for idlers and disreputable persons, billard [billiard] hall, or in any room connected therewith by doors or hallways. No person shall be permitted to vote at any election, except in the district in which he resides: *Provided*, that the county board may, if it deem it for the best interest of the voters of any town or precinct, divide any election precinct which contains more than three hundred (300) legal voters, into two election precincts, said precincts to contain as near two hundred (200) voters as is possible: *Provided, further*, that it shall be the duty of the county board in each county where any State soldiers' and sailors' home, or homes, or any National home for disabled volunteer soldiers are located, the inhabitants of which are entitled to vote, to fix and establish the place or places for holding such election or elections, at some convenient and comfortable place or places easy of access on the ground or grounds, and within the enclosures where such State soldiers' and sailors' home, or homes, or National home for disabled volunteer soldiers are located.

§ 33. In counties under township organization, the county board shall, at its regular meeting in the month of June of each year, except where such judges and clerks are appointed by election commissioners, appoint in each election district or precinct in the county, three capable and discrete electors to be judges of elections, and who shall possess the qualifications required by the acts now in force, relative to such judges. The town supervisor shall be appointed as one of such judges of election in the district or precinct in which he resides. No more than two persons of the same political party shall be appointed judges of the same election district or precinct. Such election judges shall hold their office one year from their appointment, and until their successors are duly appointed. The said county board may fill vacancies in said office at any time.

§ 2. All acts, and parts of acts in conflict with this act, are hereby repealed.

APPROVED May 15, 1903.

NOMINATIONS—WITHDRAWAL OF.

§ 1. Amends section 8, act of 1891.

Approved May 15, 1903.

§ 8. Withdrawal of candidates from nomination.

AN ACT to amend section 8 of an act entitled, "An act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891; as amended by an act approved May 6, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 8 of an act entitled, "An act to provide for the printing and distribution of ballots at public expense, and for nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891; as amended by an act approved May 6, 1897, in force July 1, 1897, be amended so as to read as follows:

§ 8. Any person whose name has been presented as a candidate or who has been nominated by more than one convention, caucus or meeting of qualified voters, may cause his name to be withdrawn from any such nomination by his request in writing, signed by him and duly acknowledged before an officer qualified to take acknowledgment of deeds, and filed with the Secretary of State not less than twenty-five (25) days, or with the proper clerk not less than thirteen (13) days previous to the day of election, and no name so withdrawn shall be printed upon the ballots under the party appellation or title from which the candidate has withdrawn his name. In case the certificate of nomination or petition as provided for in this act shall contain or exhibit the name of any candidate for any office upon more than one of said certificates or petitions (for the same office,) then, and in that case the Secretary of State or county clerk, as the case may be, shall immediately notify said candidate of said fact, and that his name appears unlawfully upon more than one of said certificates or petitions, and that within three (3) days from the receipt of said notification, said candidate must elect as to which of said political party appellations or groups he desires his name to appear and remain under upon said ballot, and if said candidate refuses, fails or neglects to comply with the provisions herein, then, and in that case the Secretary of State or county clerk, as the case may be, shall not permit the name of said candidate to appear, or be printed or placed upon said ballot under any or either of said political party appellations or groups. All certificates of nomination and

nomination papers, when filed shall be open, and under proper regulation, to public inspection, and the Secretary of State and the several clerks having charge of nomination papers shall preserve the same in their respective offices not less than six months.

APPROVED May 15, 1903.

POLL BOOKS AND TALLY LISTS—RETURN REQUIRED.

§ 1. Amends section 62, act of 1872.

Approved May 15, 1903.

§ 62. Returns made to County Clerk and Secretary of State—envelopes furnished by Secretary of State.

AN ACT to amend section 62 of an act entitled, "An act in regard to elections, and to provide for the filling of vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved May 29, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 62 of an act entitled, "An act in regard to elections, and to provide for the filling of vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved May 29, 1889, in force July 1, 1889, be, and the same is hereby, amended to read as follows, viz.:

§ 62. One of the lists of voters, with such certificate written thereon, and one of the tally papers footed up so as to show the correct number of votes cast for each person voted for, shall be carefully enveloped and sealed up, and put into the hands of one of the judges of election, who shall, within 24 hours thereafter, deliver the same to the county clerk, or his deputy, at the office of said county clerk, who shall safely keep the same. Another of the lists of voters, with such certificate written thereon, and another of the tally papers footed up as aforesaid, shall be carefully enveloped and sealed up and duly directed to the Secretary of State, and by another of the judges of election, deposited in the nearest postoffice within six hours after the completion of the canvass of the votes cast at such election, which poll book and tally list shall be filed and kept by the Secretary of State for one year, and certified copies thereof shall be evidence in all courts, proceedings and election contests. Another of the lists of voters, with such certificates written thereon, and another of the tally papers footed as aforesaid, shall be carefully enveloped and sealed up and delivered by the third one of the judges, without delay, in counties under township organization, to the town clerk of the town in which the district may be; and in counties not under township organization, they shall be retained by one of the judges of election, and safely kept by said town clerk or judge, for the use and inspection of the voters of such district until the next general election. Before said returns are sealed up, as aforesaid, the judges shall compare said tally papers, footings and certificates, and see that they are correct and duplicates of each other, and certify to the correctness of

the same: *Provided*, that the lists of voters and tally papers required by this act to be forwarded to the Secretary of State, shall be transmitted in envelopes furnished to the various county clerks by the Secretary of State for that purpose. Said envelopes shall bear the name and address of the Secretary of State, printed in plain legible type, together with a blank form printed in convenient shape for designating the county and voting precinct or district where it is to be used, and also the words "poll book and tally list only," and the date of the election for which they are to be used. Said envelopes, printed as aforesaid, shall be forwarded by the Secretary of State to the various county clerks, in the same manner in which registration books are now sent, and in ample time for each general election. And it shall be the duty of the county clerk of each county, upon receipt of said envelopes, to properly fill out the blank form on one copy of same for each voting precinct or district in his county, according to the list of precincts forwarded by him in pursuance of law, to the office of the Secretary of State. Said county clerks shall attach to each of said envelopes, sufficient stamps to fully prepay the postage on the list of voters and tally paper which it is to contain. Said envelopes, properly filled out and stamped as aforesaid, shall be distributed by the various county clerks to the election officers entitled to receive them, together with their regular quota of other election supplies.

APPROVED May 15, 1903.

PRIMARY ELECTIONS IN COUNTIES OF 125,000 OR MORE.

§ 1. Amends section 1, act of 1898.

Approved May 15, 1903.

[§ 1.] When act applies—conventions
defined—when held—quorum
—officers—adjournment only
upon roll call.

AN ACT to amend section one (1) of an act entitled "*An act providing for primary elections of delegates to nominating conventions of political organizations, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,*" approved and in force February 10, 1898, as amended by acts approved May 11, 1901, and in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an act entitled "*An act providing for primary elections of delegates to nominating conventions of political organizations, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,*" approved and in force February 10, 1898, as amended by

acts approved May 11, 1901, and in force July 1, 1901, be amended to read as follows: That in every county, city, village or incorporated town, respectively, in this State to which this act shall apply as hereinafter provided, the primary elections for delegates to constitute the various conventions of the different political parties or organizations of such county, city, village or incorporated town, or any part thereof, held for the nomination of candidates for public office in this State, and any part thereof, and for the Congress of the United States, whose names are to be printed on the official election ballots printed and distributed at public expense in such county, city, village or incorporated town, or any part thereof, shall hereafter be held under and pursuant to this act. A convention to nominate candidates for public office to be voted for by the electors of the entire State shall be known as a "State convention;" a convention to nominate candidates for public office to be voted for by the electors of an entire county shall be known as a "county convention;" a convention to nominate candidates for public office to be voted for by the electors of an entire city, village or incorporated town shall be known as a "city, village or town convention," respectively; a convention to nominate candidates for public office to be voted for by electors of an entire township shall be known as a "township convention;" a convention to nominate candidates for public office to be voted for by the electors of an entire ward shall be known as a "ward convention;" all other nominating conventions in this State shall be known as "district conventions." Each nominating convention shall be held within the boundaries of the municipality or district for which its nominations are to be made, and at the place designated in the call. A majority of the delegates entitled to a seat in the convention shall be necessary to constitute a quorum. The delegates, a quorum being present, shall select one of their number to call the convention to order, and to preside until the temporary officers are chosen. All convention officers shall be delegates, and shall be chosen upon a roll call, such roll call to be by wards and districts, and announced by the chairman of such ward or district delegation. In case, however, the vote of any ward or district is challenged or disputed when announced, then the roll of delegates of such ward or district shall be called, and the person receiving the votes of a majority of the delegates shall be declared elected the officers of the convention. No adjournment or recess of the convention shall be taken before completing the nominations it was called to make, except upon a yeas and nays vote taken upon a roll call as aforesaid.

APPROVED MAY 15, 1903.

VOTING MACHINES—USE AUTHORIZED.

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| <p>§ 1. Submission of proposition to adopt machines—discontinuance of use—voting machine commissioners shall approve machines before adoption—capabilities of machines prescribed.</p> <p>§ 2. Machines must meet requirements specified.</p> <p>§ 3. Voting machine commissioners—constitution of board.</p> <p>§ 4. Experimental use of machines before adoption.</p> <p>§ 5. Payment for machines provided for.</p> <p>§ 6. Reapportionment of election precincts.</p> <p>§ 7. Care and custody of machines.</p> <p>§ 8. Requirements for room where machine is used—manner of voting.</p> <p>§ 9. Assistance to certain voters.</p> <p>§ 10. Instructions to voter.</p> <p>§ 11. "Ballot label" defined and form prescribed.</p> <p>§ 12. Sample ballot labels—display of.</p> | <p>§ 13. Sets of ballot labels shall be provided—adjustment of machine before use—posting of ballot labels and instruction cards—irregular ballots provided for.</p> <p>§ 14. Voting for presidential electors.</p> <p>§ 15. Locking machine at close of polls—opening of counting compartment.</p> <p>§ 16. Canvassing vote and making returns—locking the counting compartment.</p> <p>§ 17. Disposition of keys.</p> <p>§ 18. Recording device on machines.</p> <p>§ 19. Tampering with machine by one not an election officer a felony—penalty.</p> <p>§ 20. Tampering with machine by election officers a felony—penalty.</p> <p>§ 21. Penalty for any violation of act.</p> <p>§ 22. Repeal.</p> |
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Approved May 14, 1903.

AN ACT to provide for the use of voting machines at elections, for casting, registering, recording and counting ballots or votes, also creating a board of voting machine commissioners, and defining its duties.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That any body or board of public officials, or any officer or officers charged by law with the duty of providing material and supplies for holding an election or elections in any city, village, incorporated town, county, precinct, election district or other civil division of the State, may, at any general or special election, submit a proposition to the qualified voters thereof to adopt a voting machine or voting machines; and, whenever a majority of the electors of any such city, village, incorporated town, county, precinct, election district or other civil division voting upon said proposition shall have declared therefor, may purchase or lease a voting machine or voting machines for [for] any or all of the election precincts for which he, it or they are by law charged with the duty of providing material and supplies for holding an election or elections at the expense of the city, village, incorporated town, county, precinct, election district or other civil division of the State now chargeable by law with the expenses of the material and supplies for holding general elections in such civil division or divisions. If the question of using a voting machine or voting machines be not submitted to the voters by the proper public officials, a petition signed by ten per cent of the voters of any city, village, incorporated town, county, precinct, election district or other civil division of the State

and addressed to them at least 60 days before any general election asking the submission of the question of adopting a voting machine or voting machines, shall compel the submission of the question to the voters at that election. Use of such machines may be discontinued on resubmission of the question, and a vote in favor thereof at any subsequent election: *Provided, however,* that no such voting machine shall be used, purchased, leased or adopted until the board of voting machine commissioners hereinafter provided for, or a majority thereof, shall have made and filed a report certifying that they have examined such machine; that it affords each elector an opportunity to vote in absolute secrecy; that it enables each elector to vote a straight party ticket; that it enables each elector to vote a ticket selected in part from the nominees of one party, and in part from the nominees of any or all other parties, and in part from an independent nomination, and in part of persons not in nomination by any party or upon any independent ticket; that it enables each elector to vote a written or printed ballot of his own selection, for any person for any office for which he may desire; that it enables each elector to vote for all candidates for whom he is entitled to vote, and prevents him from voting for any candidate for any office more than once, unless he is lawfully entitled to cast more than one vote for one candidate, and in that event permits him to cast only as many votes for that candidate as he is by law entitled, and no more; that it prevents the elector from voting for more than one person for the same office, unless he is lawfully entitled to vote for more than one person therefor, and in that event permits him to vote for as many persons for that office as he is by law entitled, and no more; and that such machine will register correctly by means of exact counters every vote cast for the regular tickets thereon; and has the capacity to contain the tickets of seven political parties with the names of all the candidates thereon, together with all propositions to be voted upon, except that it may be so constructed that the names of all candidates for presidential electors will not occur thereon, but in lieu thereof, one ballot label in each party column or row shall contain only the words "Presidential Electors," preceded by the party name; that all votes cast on the machine on a regular ballot or ballots shall be registered; that voters may, by means of irregular ballots or otherwise, vote for any person for any office, although such person may not have been nominated by any party and his name may not appear on such machine; then when a vote is cast for any person for any such office, when his name does not appear on the machine, the elector cannot vote for any name on the machine for the same office; that each elector can understandingly and within the period of one minute cast his vote for all candidates of his choice; that in case the machine is so constructed that the candidates for presidential electors of any party can be voted for only by voting for the ballot label containing the words "Presidential Electors," by voting an irregular ticket as hereinafter defined, the elector may vote for any person or persons he may choose for presidential electors; that the machine is provided with a lock or locks by the use of which any movement of the voting or

registering mechanism is absolutely prevented so that it cannot be tampered with or manipulated for any fraudulent purpose; that the machine is susceptible of being closed during the progress of the voting so that no person can see or know the number of votes registered for any candidate: *Provided also*, that no such machine or machines shall be purchased, unless the party or parties making the sale shall guarantee in writing to keep the machine or machines in good working order for five years without additional cost, and shall give a sufficient bond conditional to that effect.

§ 2. The voting machine or machines to be used, adopted, leased or purchased as herein provided, must be so constructed as to meet all requirements specified in this act.

§ 3. The Secretary of State and two persons appointed by the Governor, who shall be mechanical experts and not members of the same political party, shall constitute a board of voting machine commissioners. Their term of office shall be four years, except that the commissioners appointed by the Governor shall be subject to removal at his pleasure, and that any Secretary of State on surrendering the duties of his office shall be succeeded on the board by the succeeding Secretary of State. If the office of Secretary of State for any reason shall become vacant, the Attorney General of the State shall be a member of the board until the office of Secretary of State is filled. No member of the board shall have any interest in any voting machine. Any person or corporation owning or being interested in any voting machine may apply to said board to examine such machine and report on its accuracy, efficiency, capacity and safety. The commissioners shall examine the machine and make full report thereon, in the office of the Secretary of State. They shall state in the report whether or not the kind of machine so examined complies with the requirements of this act, and can be safely used by voters at elections under the conditions prescribed in this act. If the report be in the affirmative upon said questions the machine shall be deemed approved by the board, and machines of its kind may be adopted for use at elections as herein provided. When the machine has been so approved any improvement or change that does not impair its accuracy, efficiency, capacity or safety shall not render necessary a re-examination or re-approval thereof. Any form of voting machine not so approved cannot be used at any election. Each of the two mechanical experts on the board shall be entitled to one hundred dollars (\$100) for his compensation and expenses in making such examination and report, to be paid by the person or corporation applying for such examination, which sum may be demanded in advance of making the examination and which shall be the sole compensation to be received by any such expert. The board may, if it consents to do so, go to any point in the State for the purpose of examining a machine, but it shall not be compelled to make such examination at any place other than the capital of the State: *Provided*, that each of the two commissioners appointed as mechanical experts shall not receive and retain to exceed fifteen hundred dollars (\$1,500)

and reasonable expenses in any one year, and all sums collected for such examinations, over and above said maximum salaries and reasonable expenses, shall be turned into the State treasury.

§ 4. The authorities of any city, village, incorporated town, county, precinct, election district or other civil division authorized by section 1 of this act to adopt a voting machine or voting machines, may provide for the experimental use, at any election or elections, in one or more election precincts, of a machine which it might lawfully adopt, without a formal adoption thereof, and its use at such elections shall be as valid for all purposes as if it had been lawfully adopted.

§ 5. The local authorities, on the adoption and lease or purchase of a voting machine or voting machines, may provide for the payment therefor in such manner as may be deemed for the best interest of the city, village, incorporated town or county. They may for that purpose make leases, issue bonds, certificates of indebtedness, or other obligations, which shall be a charge on the city, village, incorporated town or county. Such bonds, certificates or other obligations may be issued with or without interest, payable at such time or times as the authorities may determine, but shall not be issued or sold at less than par.

§ 6. For any election in any city, village, incorporated town, county, election district or other civil division in which voting machines are to be used, the election precincts in which such machines are to be used may be created by the officers charged with the duty of creating election precincts so as to contain as near as may be six hundred voters each. Such redistricting or redivision shall be made under such regulations as to time and manner as are now provided by law. Thereafter, so long as voting machines are [are] used, no redivision of such election precincts shall be made until at some general election the number of votes cast in one or more of such precincts shall exceed seven hundred.

§ 7. The local authorities adopting a voting machine or voting machines, shall, as soon as practicable thereafter, provide for each polling place a voting machine in complete working order, and shall thereafter preserve and keep it in repair, and shall have the custody thereof, and of the furniture and equipment of the polling place when not in use at an election. If it shall be impracticable to supply each election precinct with a voting machine at the election following such adoption, as many may be supplied as it is practicable to procure, and the same may be used in such election precinct or precincts within the city, village, incorporated town, county, election district or other civil division, as the officers adopting the same may direct.

§ 8. The room in which the election is held shall have a railing separating the part of the room occupied by the judges and clerks of election from that part of the room occupied by the voting machine. The exterior of the voting machine, and every part of the polling place shall be in plain view of the election officers. The voting

machine shall be placed at least three feet from every wall and partition of the polling place, and at least four feet from any election officer or table used by them, and it shall be so placed that no person on the opposite side of the railing can see or determine from the outside of the room how the voter casts his vote. After the opening of the polls, the election judges shall allow no person to pass within the railing to the part of the room where the machine is situated, except for the purpose of voting, except as is provided in the next succeeding section of this act; and they shall not permit more than one voter at a time to be in such part of the room. They shall not themselves remain, or permit any other person to remain in any position, or near any position that would permit one to see or ascertain how a voter votes, or how he has voted. No voter shall remain within the voting booth or compartment longer than one minute, and if any voter shall refuse to leave after the lapse of that time, he shall at once be removed by the election officers, or upon their order.

§ 9. Any voter who may declare upon oath that he cannot read the English language, or that by reason of physical disability he is unable to use the voting machine, shall, upon request, be assisted by two of the election officers of different parties to be selected from the judges and clerks of the precinct in which they are to act, to be designated by the judges of election at the opening of the polls. Such officers, in the voter's presence and in the presence of each other, shall register his vote upon the machine for the candidates of his choice, and shall thereafter give no information regarding the same. The clerks of election shall enter upon the poll list after the name of any elector who received such assistance in registering his vote, a memorandum of the fact. Intoxication shall not be regarded as a physical disability, and no intoxicated person shall be entitled to assistance in registering his vote.

§ 10. In case any elector after entering the voting machine booth shall ask for further instructions concerning the manner of voting, two judges of opposite political parties shall give such instructions to him; but no judge or other election officer, or person assisting an elector, shall in any manner request, suggest or seek to persuade, or induce any such elector to vote any particular ticket, or for any particular candidate, or for or against any particular amendment, question or proposition. After receiving such instructions, such elector shall vote as in the case of an unassisted voter.

§ 11. That portion of cardboard, paper or other material, placed on the front of the machine and containing the names of the candidates, or a statement of the proposed constitutional amendment or other question or proposition to be voted on, shall be known in this act as a ballot label. The ballot label shall be supplied by the official or officials charged by law with providing material for the holding of an election or elections, and shall be printed in black ink on clear white material of such size as will fit the machine, and in plain, clear type, as large as the space will reasonably permit. The party name or other designation shall be prefixed to the list of candidates

of such party. The order of the lists of candidates of the several parties shall be arranged as is now provided by law, except that the lists may be placed in horizontal rows or vertical columns, which parties may, if desired, be divided into parallel and contiguous rows or columns, and except that where presidential electors are to be voted for at any election, and the machine to be used will not carry the names of all candidates for such electors, then there may be placed on the ballot label the words "Presidential Electors," under the name of each political party.

§ 12. The officers or board charged with the duty of providing ballots and ballot labels for any polling place shall provide therefor two sample ballot labels, which shall be arranged in the form of a diagram, showing the entire front of the voting machine as it will appear after the official ballot labels are arranged for voting on election day. Such sample ballot labels shall be displayed for public inspection at such polling place during the day preceding election day.

§ 13. Four sets of ballot labels for use in the voting machine shall be provided for each polling place for each election by the officer or officers now charged by law with the duty of furnishing such election precincts with ballots. In such manner shall be furnished, also, all other necessary material for the use of the voting machines. The same officer or officers shall, before the day of election, cause the proper ballot labels to be put upon each machine corresponding with the sample ballot labels herein provided for, and the machine in every way to be put in order, set and adjusted, ready for use in voting when delivered at the precinct; and for the purpose of so labeling the machine, putting in order, setting and adjusting the same, they may employ one or more competent persons, and cause him or them to be paid in the same manner as other election officers are paid. And the same officer or officers shall cause the machine so labeled in order, set and adjusted, to be delivered at the voting precinct, together with all necessary furniture and appliances that go with the same, in the room where the election is to be held in the precinct, not later than 6 o'clock p. m. of the day preceding the election. After the delivery of the machine, and on the same day, the judges and clerks of election of the precinct may meet at said room, open the package containing the sample ballots, and if necessary the ballot labels, and see that the machine is correctly labeled, set and adjusted ready for use in voting; and if the same is not so labeled, set and adjusted and in order, they shall cause it to be done. On the morning of the election, the election officers shall meet in the said room at least one hour before the time for opening the polls. They shall see that the sample ballot labels and instruction cards are posted properly, and everything put in readiness for the voting at the hour of opening the polls. The officers shall compare ballot labels on the machine with the sample ballots, see that they are correct, examine and see that all the counters in the machine are set at naught or zero (0), and that the machine is otherwise in perfect order, and they

shall not thereafter permit the counters to be operated or moved except by electors in voting, and they shall also see that all necessary arrangements and adjustments are made for voting irregular ballots on the machine.

§ 14. Ballots voted for any person whose name does not appear on the ballot label on the machine as a candidate for office, are herein referred to as irregular ballots. In voting for presidential electors, a voter may vote an irregular ticket made up of the names of persons in nomination by different parties, or partially of the names of persons so in nomination and partially of persons not in nomination by any party. Such irregular ballots shall be deposited, written or affixed in or upon the receptacle or device provided on the machine for that purpose.

§ 15. As soon as the polls are closed, the voting machine shall be locked against voting, and the counting compartment opened in the presence of all the judges and clerks of election, and all other persons who may be lawfully within the room, giving full view of the numbers announcing the votes cast for each candidate, and for and against the various constitutional amendments, questions or other propositions.

§ 16. The election officers shall then ascertain the number of votes which the candidates have received both on the machine and by the voting of irregular ballots, if any, and one of the judges shall publicly announce in a distinct voice the total vote for each candidate thus ascertained in the order of the offices as their titles are arranged on the ballot label. He shall then announce in the same manner the vote on each constitutional amendment, proposition or other question. Before leaving the room and before closing and locking the counting compartment, the election officers shall make and sign written statements or returns of such election, as now required by law. When irregular ballots have been voted, they shall be returned, preserved and finally destroyed as is now provided by law in the case of other election ballots. The written statements or returns so made, after having been properly signed, shall be distinctly and clearly read in the hearing of all persons present, and ample opportunity shall be given to compare the results so certified with the counter dials of the machine. After such comparison and correction, if any is made, the election officers shall then close the counting compartment and lock the same. Thereafter the machine shall remain locked for a period of at least thirty days, unless otherwise ordered by a court of competent jurisdiction.

§ 17. When the machine is locked at the close of an election in the manner required by this act, the judges shall place all keys of the machine on a single piece of flexible wire: unite the ends of such wire in a firm knot, label the same with the make and number of the machine and the precinct at which it was used at such election, and return such keys along with the written statements or returns of such election.

§ 18. A voting machine which possesses all the qualities required by this act, may be supplied in addition with any recording device on which all the votes registered on the mechanical counters will be separately recorded. When a machine is supplied with such device, the same shall not be taken out or examined by the election officers who make the return [*returns*] from the precinct, but such machine shall be locked with such device therein, and so remain for a period of at least thirty days, unless within that time the machine shall be ordered opened by some court of competent jurisdiction. At the end of thirty days, such device may be taken out, unless otherwise ordered by a court of competent jurisdiction.

§ 19. Any person, not an election officer or other public officer, who shall tamper or attempt to tamper with such voting machine or voting machines, or in any way intentionally impair or attempt to impair its use, and any such person who shall be guilty of or shall attempt any dishonest practice upon any such machine, or with or by its use, shall be deemed guilty of a felony, and shall be punishable by a fine of from \$100 to \$1,000, or by imprisonment for a term of from one to five years, or by both fine and imprisonment.

§ 20. Any clerk or judge of an election, or any other public officer authorized to take part in the holding of an election or in preparing for an election, who, with intent to cause or permit any voting machine to fail to register correctly all votes cast thereon; who tampers with, or disarranges such machine in any way, or any part or appliance thereof, or who causes or consents to said machine being used for voting at any election with knowledge of the fact that the same is not in order, or not perfectly set and adjusted so that it will correctly register all votes cast thereon; or who, with the purpose of defrauding or deceiving any voter, or of causing it to be doubtful for what ticket or candidate or candidates or proposition any vote is cast, or of causing it to appear on said machine that votes cast for one ticket, candidate or proposition, were cast for another ticket, candidate or proposition, removes, changes or mutilates any ballot label on said machine or any part thereof, or does any other thing intended to interfere with the validity of the election, shall be deemed guilty of a felony, and, upon conviction, shall be imprisoned in the State prison not less than one year nor more than ten years, to which may be added a fine not exceeding \$1,000.

§ 21. Any public officer, or any election officer upon whom any duty is imposed by this act, and who shall wilfully omit or neglect to perform such duty, or who shall do any act prohibited herein for which punishment is not otherwise provided herein, shall, upon conviction, be imprisoned in the State prison for not less than one year nor more than ten years, or be fined in any sum not exceeding \$1,000, or may be punished by both such imprisonment and fine.

§ 22. All the provisions of the election law, not inconsistent with this act, shall apply to all the elections in the precincts where such voting machines are used. Any provisions of law which

conflict with the use of such machine or machines as herein set forth, shall not apply to the precinct or precincts in which an election is conducted by the use of such machine or machines.

APPROVED May 14, 1903.

EMPLOYMENT.

BUREAU OF LABOR STATISTICS.

§ 1. Amends section 3, act of 1879.

Approved May 15, 1903.

§ 3. Compensation of commissioners
and secretary—how drawn—
traveling expenses.

AN ACT to amend section three (3) of an act entitled "An act to create a Bureau of Labor Statistics, and to provide for a board of commissioners and secretary," approved May 29, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section three (3) of an act entitled "An act to create a Bureau of Labor Statistics and to provide for a board of commissioners and secretary," be amended so as to read as follows:

§ 3. The compensation of said commissioners shall be five dollars per day, for thirty (30) days of each annual session, and the compensation of said secretary shall be twenty-five hundred dollars (\$2,500) per annum. The amount accruing to said commissioners to be paid to them at the expiration of their said annual session of thirty days, and the Auditor of Public Accounts, being hereby authorized to issue his warrant on the treasury in their favor for the amount specified in this section, and the secretary shall be paid quarterly in the same manner. The Auditor is further directed and authorized to draw his warrant for the actual traveling, incidental and office expenses of said commissioners and their secretary, on their vouchers sworn to by them, and approved by the president of the board, and the Governor.

APPROVED May 15, 1903.

CHILD LABOR.

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| § 1. Child under 14 years.
§ 2. Register to be kept.
§ 3. Wall lists to be posted.
§ 4. Age and school certificate to be placed on file.
§ 5. Approval of age and school certificates.
§ 6. Proof of age.
§ 7. Employment ticket—forms of school and age certificates—illiteracy.
§ 8. Schooling required.
§ 9. Duties of State factory inspectors. | § 10. Hours of labor.
§ 11. Employments forbidden children under 16 years.
§ 12. <i>Prima facie</i> evidence of a child's employment.
§ 13. Enforcement of the provisions of this act.
§ 14. Penalty.
§ 15. Repeals act of 1891.
Approved May 15, 1903. |
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AN ACT to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof.

SECTION 1. CHILD UNDER FOURTEEN YEARS.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no child under the age of fourteen years shall be employed, permitted or suffered to work at any gainful occupation in any theatre, concert hall or place of amusement where intoxicating liquors are sold, or in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, passenger or freight elevator, factory or workshop, or as a messenger or driver therefor, within this State. That no child under fourteen years of age shall be employed at any work performed for wages or other compensation, to whomsoever payable, during any portion of any month when the public schools of the town, township, village or city in which he or she resides are in session, nor be employed at any work before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening: *Provided*, that no child shall be allowed to work more than eight hours in any one day.

§ 2. REGISTER.] It shall be the duty of every person, firm or corporation, agent or manager of any firm or corporation employing minors over fourteen years and under sixteen years of age in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theatre, concert hall or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, within this State, to keep a register in said mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theatre, concert hall or place of amusement, factory or workshop in which said minors shall be employed or permitted or suffered to work, in which register shall be recorded the name, age and place of residence of every child employed or suffered or permitted to work therein, or as messenger or driver therefor, over the age of fourteen and under the age of sixteen years; and it shall be unlawful for any person, firm or corporation, agent or manager, of any firm or corporation to hire or employ, or to permit or suffer to work in any mercantile institution, store, office, hotel, laundry, manufacturing

establishment, bowling alley, theatre, concert hall or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, any child under the age of sixteen years and over fourteen years of age, unless there is first produced and placed on file in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, factory or workshop, theatre, concert hall or place of amusement, an age and school certificate approved as hereinafter provided.

§ 3. WALL LISTS.] Every person, firm or corporation, agent or manager of a corporation employing or permitting or suffering to work five or more children under the age of sixteen years and over the age of fourteen in any mercantile institution, store, office, laundry, hotel, manufacturing establishment, factory or workshop, shall post and keep posted in a conspicuous place in every room in which such help is employed, or permitted or suffered to work, a list containing the name, age and place of residence of every person under the age of sixteen years employed, permitted or suffered to work in such room.

§ 4. AGE AND SCHOOL CERTIFICATE.] No child under sixteen years of age and over fourteen years of age shall be employed in any mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theatre, concert hall, or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, unless there is first produced and placed on file in such mercantile institution, store, office, hotel, laundry, manufacturing establishment, bowling alley, theater, concert hall or place of amusement, factory or workshop, and accessible to the State factory inspector, assistant factory inspector or deputy factory inspector' an age and school certificate as hereinafter prescribed; and unless there is kept on file and produced on demand of said inspectors of factories a complete and correct list of all the minors under the age of sixteen years so employed who cannot read at sight and write legibly simple sentences, unless such child is attending night school as hereinafter provided.

§ 5. AGE AND SCHOOL CERTIFICATES. HOW APPROVED.] An age and school certificate shall be approved only by the superintendent of schools or by a person authorized by him in writing; or where there is no superintendent of schools by a person authorized by the school board: *Provided*, that the superintendent or principal of a parochial school shall have the right to approve an age and school certificate, and shall have the same rights and powers as the superintendent of public schools to administer the oaths herein provided for children attending parochial schools: *Provided, further*, that no member of a school board or other person authorized as aforesaid shall have authority to approve such certificates for any child then in or about to enter his own establishment, or the employment of a firm or corporation of which he is a member, officer or employe. The person approving these certificates shall have authority to administer the oath provided herein, but no fee shall be charged therefor. It shall be the duty of the school board or local school authorities to

designate a place (connected with their office, when practicable) where certificates shall be issued and recorded, and to establish and maintain the necessary records and clerical service for carrying out the provisions of this act.

§ 6. PROOF OF AGE.] An age and school certificate shall not be approved unless satisfactory evidence is furnished by the last school census, the certificate of birth or baptism of such child, the register of birth of such child with a town or city clerk, or by the records of the public or parochial schools, that such child is of the age stated in the certificate: *Provided*, that in cases arising wherein the above proof is not obtainable, the parent or guardian of the child shall make oath before the juvenile or county court as to the age of such child, and the court may issue to said child an age certificate as sworn to.

§ 7. EMPLOYMENT TICKET.] The age and school certificate of a child under sixteen years of age shall not be approved and signed until he presents to the person authorized to approve and sign the same, a school attendance certificate, as hereinafter prescribed, duly filled out and signed. A duplicate of such age and school certificate shall be filled out and shall be forwarded to the State factory inspector's office. Any explanatory matter may be printed with such certificate in the discretion of the school board or superintendent of schools. The employment and the age and school certificates shall be separately printed and shall be filled out, signed, and held or surrendered as indicated in the following forms:

SCHOOL CERTIFICATE.

(Name of school). (City or town and date).

This certifies (name of minor) of the . . . th grade, can read and write legibly simple sentences. This also certifies that according to the records of this school, and in my belief, the said (name of minor) was born at (name of city or town) in (name of county) on the (date) and is now (number of years and months) old.

(Name of parent or guardian.)

(Residence).

(Signature of teacher) grade.

(Name of principal.)

Correct. (Name of school).

EVENING SCHOOL ATTENDANCE CERTIFICATE.

(Date).

This certifies that (name of minor) is registered in and regularly attends the evening school. This also certifies that according to the records of my school and in my belief the said (name of minor) was born at (name of city or town) on the . . . day of (year), and is now (number of years and months) old.

(Name of parent or guardian),

(Residence).

(Signature of teacher.)

(Signature of principal).

AGE AND SCHOOL CERTIFICATE.

This certifies that I am (father, mother, guardian or custodian) of (name of minor), and that (he or she) was born at (name of town or city) in the (name of county, if known) and State or county of, on the (day of birth and year of birth) and is now (number of years and months) old.

(Signature of parent, guardian or custodian),
(City or town and date).

There personally appeared before me the above named (name of person signing) and made oath that the foregoing certificate by (him or her) signed is true to the best of (his or her) knowledge. I hereby approve the foregoing certificate of (name of child), height (feet and inches), weight...., complexion (fair or dark), hair, (color) having no sufficient reason to doubt that (he or she) is of the age therein certified.

OWNER OF CERTIFICATE.] This certificate belongs to (name of child in whose behalf it is drawn) and is to be surrendered to (him or her) whenever (he or she) leaves the service of the corporation or employer holding the same; but if not claimed by said child within thirty days from such time it shall be returned to the superintendent of schools, or where there is no superintendent of schools, to the school board. (Signature of person authorized to approve and sign, with official character authority) (town, or city and date.)

ILLITERACY.] In the case of a child who cannot read at sight and write legibly simple sentences, the certificate shall continue as follows, after the word sentences: "I hereby certify that (he or she) is regularly attending the (name of public or parochial evening school)." This certificate shall continue in force just as long as the regular attendance of said child at said evening school is certified weekly by the teacher and principal of said school.

EVENING SCHOOL.] In any city or town in which there is no public or parochial evening school, an age and school certificate shall not be approved for a child under the age of sixteen years who can not read at sight and write legibly simple sentences. When the public or parochial evening schools are not in session, an age and school certificate shall not be approved for any child who can not read at sight and write legibly simple sentences. The certificate of the principal of a public or parochial school shall be *prima facie* evidence as to the literacy or illiteracy of the child.

§ 8. SCHOOLING REQUIRED.] No person shall employ any minor over fourteen years of age and under sixteen years, and no parent, guardian or custodian shall permit to be employed any such minor under his control, who can not read at sight and write legibly simple sentences, while a public evening school is maintained in the town or city in which such minor resides, unless such minor is a regular attendant at such evening school.

§ 9. DUTIES OF STATE INSPECTORS OF FACTORIES.] The State Inspector of Factories, his assistants or deputies, shall visit all mercantile institutions, stores, offices, laundries, manufacturing establishments, bowling alleys, theatres, concert halls or places of amusement, factories or workshops, and all other places where minors are or may be employed in this State, and ascertain whether any minors are employed contrary to the provisions of this act. Inspectors of factories may require that age and school certificates, and all lists of minors employed in such factories, workshops, mercantile institutions and all other places where minors are employed as provided for in this act, shall be produced for their inspection on demand: *And, provided further*, that upon written complaint to the school board or local school authorities of any city, town, district or municipality, that any minor (whose name shall be given in such complaint) is employed in any mercantile institution, store, office, laundry, manufacturing establishment, bowling alley, theatre, concert hall or place of amusement, passenger or freight elevator, factory or workshop, or as messenger or driver therefor, contrary to the provisions of this act, it shall be the duty of such school board or local school authority to report the same to the State Inspector of Factories.

§ 10. HOURS OF LABOR.] No person under the age of sixteen years shall be employed or suffered or permitted to work at any gainful occupation more than forty-eight hours in any one week, nor more than eight hours in any one day; or before the hours of seven o'clock in the morning or after the hour of seven o'clock in the evening. Every employer shall post in a conspicuous place in every room where such minors are employed, a printed notice stating the hours required of them each day of the week, the hours of commencing and stopping work, and the hours when the time or times allowed for dinner or for other meals begins and ends. The printed form of such notice shall be furnished by the State Inspector of Factories, and the employment of any such minor for longer time in any day so stated shall be deemed a violation of this section.

§ 11. EMPLOYMENTS FORBIDDEN CHILDREN UNDER SIXTEEN YEARS OF AGE.] No child under the age of sixteen years shall be employed at sewing belts, or to assist in sewing belts, in any capacity whatever; nor shall any child adjust any belt to any machinery; they shall not oil or assist in oiling, wiping or cleaning machinery; they shall not operate or assist in operating circular or band saws, wood-shapers, wool-jointers, planers, sandpaper or wood-polishing machinery, emery or polishing wheels used for polishing metal, wood-turning or boring machinery, stamping machines in sheet metal and tinware manufacturing, stamping machines in washer and nut factories, operating corrugating rolls, such as are used in roofing factories, nor shall they be employed in operating any passenger or freight elevators, steam boiler, steam machinery, or other steam generating apparatus, or as pin boys in any bowling alleys; they shall not operate or assist in operating dough brakes, or cracker

machinery of any description; wire or iron straightening machinery; or shall the [they] operate or assist in operating rolling mill machinery punches or shears, washing, grinding or mixing mill or calendar rolls in rubber manufacturing, nor shall they operate or assist in operating laundry machinery; nor shall children be employed in any capacity in preparing any composition in which dangerous or poisonous acids are used, and they shall not be employed in any capacity in the manufacture of paints, colors or white lead; nor shall they be employed in any capacity whatever in operating or assisting to operate any passenger or freight elevator; nor shall they be employed in any capacity whatever in the manufacture of goods for immoral purposes, or any other employment that may be considered dangerous to their lives or limbs, or where their health may be injured or morals depraved; nor in any theatre, concert hall, or place of amusement wherein intoxicating liquors are sold; nor shall females under sixteen years of age be employed in any capacity where such employment compels them to remain standing constantly.

§ 12. PRIMA FACIE EVIDENCE OF A CHILD'S EMPLOYMENT.] The presence of any person under the age of sixteen years in any manufacturing establishment, factory or workshop, shall constitute *prima facie* evidence of his or her employment therein.

§ 13. ENFORCEMENT OF THE PROVISIONS OF THIS ACT. It shall be the special duty of the State factory inspector to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State. It shall be the duty of the State factory inspector, assistant State factory inspector and deputy State factory inspectors under the supervision and direction of the State factory inspector, and they are hereby authorized and empowered to visit and inspect, at all reasonable times, and as often as possible, all places covered by this act.

§ 14. PENALTY.] Whoever, having under his control a child under the age of 16 years, permits such child to be employed in violation of the provisions of this act, shall for each offense be fined not less than \$5 nor more than \$25, and shall stand committed until such fine and costs are paid. A failure to produce to the inspector of factories, his assistants or deputies, any age and school certificates, or lists required by this act, shall constitute a violation of this act, and the person so failing shall, upon conviction, be fined not less than \$5 nor more than \$50 for each offense. Every person authorized to sign the certificate prescribed by section 7 of this act, who certifies to any materially false statement therein shall be guilty of a violation of this act, and upon conviction, be fined not less than \$5 nor more than \$100 for each offense, and shall stand committed until such fine and costs are paid. Any person, firm or corporation, agent or manager, superintendent or foreman of any firm or corporation, whether for himself or for such firm or corporation, or by himself or through sub-agents or foreman, superintendent or manager, who shall violate or fail to comply with any of the provisions of this act, or shall refuse admittance to premises, or otherwise obstruct the factory inspector, assistant factory

inspector or deputy factory inspector in the performance of their duties, as prescribed by this act, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not less than \$5 nor more than \$100 for each offense, and shall stand committed until such fine and costs are paid.

§ 15. REPEAL.] "An act to prevent child labor," approved June 17, 1891, in force July 1, 1891, and all other acts and parts of acts in conflict with this act are hereby repealed.

APPROVED May 15, 1903.

FACTORY INSPECTORS—APPOINTMENT AND DUTIES.

§ 1. Amends section 9, act of 1893.

Approved May 15, 1903.

§ 9. Inspectors and deputies — appointment—powers — duties — salaries.

AN ACT entitled, "*An act to amend section nine (9) of an act entitled, 'An act to regulate the manufacture of clothing, wearing apparel and other articles in this State, and to provide for the appointment of State inspectors to enforce the same, and to make an appropriation therefor,' approved June 11, 1893, in force July 1, 1893.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section nine (9) of an act entitled, "An act to regulate the manufacture of clothing, wearing apparel and other articles in this State; and to provide for the appointment of State inspectors to enforce the same, and to make an appropriation therefor," approved June 17, 1893, in force July 1, 1893, be, and the same is hereby amended to read as follows:

§ 9. The Governor shall, upon the taking effect of this act, appoint a factory inspector at a salary of two thousand dollars (\$2,000) per annum, an assistant factory inspector at a salary of one thousand two hundred and fifty dollars (\$1,250) per annum and eighteen (18) deputy factory inspectors of whom seven shall be women, at a salary of one thousand dollars (\$1,000) per annum. The term of office of the factory inspector shall be for four years, and the assistant factory inspector and the deputy factory inspectors shall hold their office during efficient service and good behavior. Said inspector, assistant inspector and deputy inspectors shall be empowered to visit and inspect at all reasonable hours and as often as practicable, the workshops, factories and manufacturing establishments in this State, where the manufacture of goods is carried on. And the inspector shall report in writing to the Governor on the 15th day [of] December, annually, the result of their inspections and investigations, together with such other information and recommendations as they may deem proper. And said inspectors shall make a special investigation into alleged abuses in any such workshops whenever the Governor shall direct, and report the results of the same to the Governor. It shall

also be the duty of said inspectors to enforce the provisions of this act, and to prosecute all violations of the same before any magistrate or any court of competent jurisdiction in this State, and perform such other duties as now are or shall hereafter be prescribed by law. And it shall be the duty of the State's attorney of the proper county, upon request of the factory inspector or his deputy, to prosecute any violation of this act. Said inspector shall, by written order filed with the Governor, divide the State into fifteen inspection districts, due regard being had to the number of factories and the amount of work required to be performed in each district. And he shall assign to each district a deputy inspector who shall have charge of the inspections in the district to which he is assigned under the supervision of the inspector and assistant inspector. The inspector may at any time, when in his discretion the good of the service requires, change a deputy inspector from one district to another, or re-assign the districts of the State among the several deputy inspectors under his charge. He may at any time, when the conditions are changed or in his discretion the good of the service requires, by a like order filed with the Governor, re-divide the State in inspection districts, changing the territory embraced within the several districts as to him may seem advisable.

APPROVED May 15, 1903.

FREE EMPLOYMENT AGENCIES IN CERTAIN CITIES.

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| <p>§ 1. Creation of offices in certain cities—purpose—name.</p> <p>§ 2. Officers—how appointed—salaries.</p> <p>§ 3. Duties of superintendent—registers—special registers not open to inspection.</p> <p>§ 4. Reports to Bureau of Labor Statistics—circulation of reports.</p> <p>§ 5. Correspondence with employers of labor—advertising.</p> <p>§ 6. Annual reports—collection of statistics.</p> <p>§ 7. No fee to be charged—penalty for accepting fee.</p> <p>§ 8. "Applicant for employment" and "applicant for help" defined.</p> | <p>§ 9. Private agencies to be licensed—license fee—bond—restriction as to name and sign—register—registration fee.</p> <p>§ 10. Commissioners of labor to enforce act—prosecution of violations—penalty.</p> <p>§ 11. Private employment agency defined.</p> <p>§ 12. Disposition of fees and fines.</p> <p>§ 13. Blanks to be furnished by Secretary of State.</p> <p>§ 14. Repeal.</p> <p>§ 15. Emergency.</p> |
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Approved May 11, 1903.

AN ACT relating to employment offices and agencies.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That free employment offices are hereby created as follows: One in each city of not less than fifty thousand population, and three in each city containing a population of one million or over, for the purpose of receiving applications of persons seeking employment, and applications of persons seeking to employ labor. Such offices shall be designated and known as Illinois Free Employment Offices.

§ 2. Within sixty days after this act shall have been in force, the State Board of Commissioners of Labor shall recommend, and the Governor, with the advice and consent of the Senate, shall appoint a superintendent and assistant superintendent and a clerk for each of the offices created by section 1 of this act, who shall devote their entire time to the duties of their respective offices. The assistant superintendent or the clerk shall in each case be a woman. The tenure of such appointment shall be two years, unless sooner removed for cause. The salary of each superintendent shall be fifteen hundred (1,500) dollars per annum, the salary of such assistant superintendent shall be one thousand two hundred (1,200) dollars per annum. The salary of such clerk shall be one thousand (1,000) dollars per annum, together with proper amounts for defraying the necessary costs of equipping and maintaining the respective offices.

§ 3. The superintendent of each such free employment office shall, within sixty days after appointment, open an office in such locality as shall have been agreed upon between such superintendent and the secretary of the Bureau of Labor Statistics, as being most appropriate for the purpose intended; such office to be provided with a sufficient number of rooms and apartments to enable him to provide, and he shall so provide, a separate room or apartment for the use of women registering for situations or help. Upon the outside of each such office, in position and manner to secure the fullest public attention, shall be placed a sign which shall read in the English language, Illinois Free Employment Office, and the same shall appear either upon the outside windows or upon signs in such other languages as the location of each such office shall render advisable. The superintendent of each such free employment office shall receive and record in books kept for that purposes [purpose], names of all persons applying for employment or help, designating opposite the names and addresses of each applicant, the character of employment or help desired. Separate registers for applicants for employment shall be kept, showing the age, sex, nativity, trade or occupation of each applicant, the cause and duration of non-employment, whether married or single, the number of dependent children, together with such other facts as may be required by the Bureau of Labor Statistics to be used by said bureau: *Provided*, that no special registers shall be open to public inspection at any time, and that such statistical and sociological data as the Bureau of Labor may require shall be held in confidence by said bureau, and so published as not to reveal the identity of any one: *And, provided further*, that any applicant who shall decline to furnish answers as to the questions contained in special registers shall not thereby forfeit any rights to any employment the office might secure.

§ 4. Each such superintendent shall report on Thursday of each week to the State Bureau of Labor Statistics the number of applications for positions and for help received during the preceding week, and the number of positions secured, also those unfilled applications remaining on the books at the beginning of the week. It shall also show the number and character of the positions secured

during the preceding week. Upon receipt of these lists, and not later than Saturday of each week, the secretary of the said Bureau of Labor Statistics shall cause to be printed a sheet showing separately, and in combination, the lists received from all such free employment offices.

§ 5. It shall be the duty of each such superintendent of a free employment office to immediately put himself in communication with the principal manufacturers, merchants and other employers of labor, and to use all diligence in securing the coöperation of the said employers of labor, with the purposes and objects of said employment offices. To this end it shall be competent for such superintendents to advertise in the columns of newspapers, or other medium, for such situations as he has applicants to fill, and he may advertise in a general way for the coöperation of large contractors and employers in such trade journals or special publication as reach such employers, whether such trade or special journals are published within the State of Illinois or not.

§ 6. It shall be the duty of each such superintendent to make report to the State Bureau of Labor Statistics annually, not later than December first of each year, concerning the work of his office for the year ending October first of the same year, together with a statement of the expenses of the same, including the charges of an interpreter when necessary, and such report shall be published by the said Bureau of Labor Statistics annually with its coal report. Each such superintendent shall also perform such other duties in the collection of statistics of labor as the secretary of the Bureau of Labor Statistics may require.

§ 7. No fee or compensation shall be charged or received, directly or indirectly, from persons applying for employment or help through said free employment offices, and any superintendent, assistant superintendent or clerk, who shall accept, directly or indirectly, any fee or compensation from any applicant or from his or her representative, shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined not less than twenty-five nor more than fifty dollars and imprisoned in the county jail not more than thirty days.

§ 8. The term, "applicant for employment," as used in this act, shall be construed to mean any person seeking work of any lawful character, and "applicant for help" shall mean any person or persons seeking help in any legitimate enterprise; and nothing in this act shall be construed to limit the meaning of the term work to manual occupation, but it shall include professional service, and all other legitimate service.

§ 9. No person, firm or corporation in this State shall open, operate or maintain a private employment agency for hire, or where a fee is charged to either applicant for employment or for help without first obtaining a license for the same from the State Commissioners of Labor. Such license fee, in cities of fifty thousand (50,000) population and over, shall be fifty

dollars (\$50) per annum. In all cities containing less than fifty thousand (50,000) population a uniform fee of twenty-five dollars (\$25) per annum will be required. Every license shall contain a designation of the city, street and number of the building in which the licensed party conducts said employment agency. The license, together with a copy of this act, shall be posted in a conspicuous place in each and every employment agency. No agency shall print, publish or paint on any sign, window, or insert in any newspaper or publication, a name similar to that of the Illinois Free Employment Office. The Commissioners of Labor shall require with each applicant for a license a bond in the penal sum of five hundred dollars (\$500), with one or more sureties, to be approved by the said commissioners, and conditioned that the obligor will not violate any of the duties, terms, conditions, provisions or requirements of this act. The said commissioners are authorized to cause an action or actions to be brought on said bond in the name of the People of the State of Illinois for any violation of any of its conditions, and they may also revoke, upon a full hearing, any license, whenever, in their judgment, the party licensed shall have violated any of the provisions of this act. It shall be the duty of every licensed agency to keep a register, in which shall be entered the name and address of every applicant. Such licensed agency shall also enter into a register the name and address of every person who shall make application for help or servants; and the name and nature of the employment for which such help shall be wanted. Such register shall, at all reasonable hours, be open to the inspection and examination of the Commissioners of Labor or their agents. Where a registration fee is charged for receiving or filing applications for employment or help, said fee shall in no case exceed the sum of two dollars (\$2), for which a receipt shall be given, in which shall be stated the name of the applicant, the amount of the fee, the date, the name or character of the work or situation to be procured. In case the said applicant shall not obtain a situation or employment through such licensed agency within one month after registration as aforesaid, then said licensed agency shall forthwith repay and return to such applicant, upon demand being made therefor, the full amount of the fee paid or delivered by said applicant to said licensed agency, provided that such demand be made within thirty (30) days after the expiration of the period aforesaid. No agency shall send or cause to be sent any female help or servants to any place of bad repute, house of ill-fame or assignation house, or to any house or place of amusement kept for immoral purposes. No such licensed agency shall publish or cause to be published any false or fraudulent notice or advertisement, or to give any false information, or to make any false promise concerning or relating to work or employment to anyone who shall register for employment, and no licensed agency shall make any false entries in the register to be kept as herein provided. No person, firm or corporation shall conduct the business of any employment office in, or in connection with, any place where intoxicating liquors are sold.

§ 10. It shall be the duty of the Commissioners of Labor, and the secretary thereof, to enforce this act. When informed of any violation, it shall be their duty to institute criminal proceedings for the enforcement of its penalties before any court of competent jurisdiction. Any person convicted of a violation of the provisions of this act shall be guilty of a misdemeanor and shall be fined not less [than] fifty dollars (\$50) nor more than one hundred (100) dollars for each offense, or by imprisonment in the county jail for a period not exceeding six (6) months, or both, at the discretion of the court.

§ 11. A private employment agency is defined and interpreted to mean any person, firm or corporation furnishing employment or help or giving information as to where employment or help may be secured, or who shall display any employment sign or bulletin, or through the medium of any card, circular or pamphlet, offering employment or help, shall be deemed an employment agency, and subject to the provisions of this act, whether a fee or commission is charged or not: *Provided*, that charitable organizations are not included.

§ 12. All money or moneys received from fees and fines shall be held by the said Commissioners of Labor, and shall constitute a fund for the purpose of enforcing the provisions of this act; and the said commissioners shall, at the end of each fiscal year, make an account of said fund and pay into the State Treasury whatever balance shall remain after paying the necessary disbursements for the purpose of enforcing the provisions of this act.

§ 13. All printing, blanks, blank books, stationery and such other supplies as may be necessary for the proper conduct of the business of the offices herein created shall be furnished by the Secretary of State upon requisition for the same made by the superintendents of the several offices.

§ 14. All acts and parts of acts in conflict herewith are hereby repealed.

§ 15. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 11, 1903.

WAGES—ENFORCEMENT OF PAYMENT.

§ 1. Wages must be paid in full on pay day —exceptions.

§ 2. Certain contracts declared illegal—such contracts no defense in suits at law.

§ 3. Violations—penalty.

§ 4. Prosecutions of violations of act.

Approved May 14, 1903.

AN ACT to regulate and enforce the payment of wages due laborers, servants and employes from corporations doing business in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly: It shall be unlawful for any*

corporation doing business within this State to withhold from any of its laborers, servants or employes any part or per cent of the wages earned by such laborer, servant or employé, beyond the date of the regular pay day of said corporation, under the guise or pretext, that the amount of wages so withheld, is to be given or presented to such laborer, servant or employé as a present or gratuity from said corporation, at the expiration of any future date, on condition that the services of such laborer, servant or employé have been performed to the entire satisfaction of said corporation, or upon condition that such laborer, servant or employé shall, unless sooner discharged by said corporation, remain in its employ until the expiration of some future date designated by said corporation, or under any other similar pretext or condition, but all such wages shall be paid in full by said corporation on its regular pay day: *Provided*, that nothing in this act contained shall be held to abridge the right of any corporation not making or requiring contracts of the class specified above, to make such contract or arrangement as may be legal, concerning the payment of wages to employes: *And provided further*, nothing herein contained shall be construed to affect the right of any corporation to contract for the retention of a part of the wages of said laborers, servants and employes for the purpose of giving to said servants, laborers and employes insurance, hospital, sick or other similar relief.

§ 2. That all contracts or agreements of the kind and character referred to and described in section 1 of this act, hereafter made by any corporation doing business in this State, are hereby declared to be illegal, against public policy and null and void, and no such agreement or contract shall constitute a defense upon the part of any such corporation, to any action brought by any such laborer, servant or employé, for the recovery of any wages due him, and withheld from him by any such corporation, contrary to the provisions of this act.

§ 3. That any such corporation doing business in this State, who shall violate the provisions of this act, shall, for each offense, forfeit the sum of two hundred dollars to be recovered from it in any [an] action of debt in the name of the People of the State of Illinois, or by any person who may sue for the same.

§ 4. It is hereby made the duty of the several State's attorneys of this State in their respective counties, to prosecute all actions commenced in the name of the People of the State of Illinois, under the provisions of this act.

APPROVED May 14, 1903.

FEES AND SALARIES.

STATE'S ATTORNEYS—SALARIES IN COUNTIES OF THE FIRST AND SECOND CLASS.

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| <p>‡ 1. Amends act of 1874 by adding eight new sections.</p> <p>‡ 8a. Salaries allowed in lieu of fees and commissions—disposition of fees.</p> <p>‡ 8b. Maximum salary in counties of 1st class, \$2,000—of 2d class, \$5,000.</p> <p>‡ 8c. Assistants authorized.</p> <p>‡ 8d. Collection and disposition of fines and forfeitures.</p> | <p>‡ 8e. Report to court—failure to turn over fines—penalty.</p> <p>‡ 8f. Payment of salaries—drawing of warrants.</p> <p>‡ 8g. Balance of fines to be paid into school fund.</p> <p>‡ 8h. Adoption of act by county—submission to electors—form of ballot—declaration of result.</p> |
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Approved May 15, 1903.

AN ACT to amend an act entitled, "*An act concerning fees and salaries, and to classify the several counties of this State with reference thereto,*" approved March 29, 1872, in force July 1, 1872, as amended by act approved June 4, 1889, in force July 1, 1889; title as amended by act approved March 28, 1874, in force July 1, 1874, by adding thereto eight new sections to be known as sections 8a, 8b, 8c, 8d, 8e, 8f, 8g and 8h.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That an act entitled "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended by act approved June 4, 1889, in force July 1, 1889; title as amended by act approved March 28, 1874, in force July 1, 1874, be, and the same is hereby, amended by adding thereto eight new sections to be known as sections 8a, 8b, 8c, 8d, 8e, 8f, 8g and 8h.

§ 8a. That State's attorneys in counties of the first and second class shall receive in lieu of the fees and commissions now allowed them by law, a salary to be fixed by the county board in counties under township organization, and by the county commissioners in counties having county commissioners; and such salary shall be fixed in the same manner as salaries are now fixed for county officers, and paid out of the county treasury: *Provided*, that the salaries so [paid] shall be additional to the compensation now paid State's attorneys out of the State treasury: *Provided, further*, that the fees now allowed State's attorneys in counties of the first and second class be hereafter taxed as cost in such proceedings, and when collected shall be paid into the county treasury.

§ 8b. The amount fixed as salary in counties of the first class shall not exceed the sum of two thousand dollars, and in counties of the second class the same shall not exceed the sum of five thousand dollars.

§ 8c. The county board or board of county commissioners, as the case may be, may allow a reasonable amount as compensation for an assistant or assistants to the State's attorney, when such assistance is necessary for a proper transaction of the business of the office.

§ 8d. It shall be the duty of State's attorneys to attend to the collection of all fines and forfeitures in criminal cases, and they shall, without delay, pay over all fines and forfeitures collected by them to the county treasurer in order that a fund may be thereby provided from which the salary of the State's attorney and compensation of assistants contemplated by this act be paid, and the said funds in the hands of the county treasurer shall be used for the payment of the salary and compensation aforesaid as far as it will go toward such payment. But in no event shall said salary be paid out of any general or other county fund, or any fund other than that arising from the collection of such fines and forfeitures.

§ 8e. The State's attorney shall at each term of the circuit court, with their report of fines and forfeitures collected, satisfy the court, by voucher or otherwise, that all fines and forfeitures, by them hereafter collected, have been duly paid over to the county treasurer as required by this act; and if it appear to the court that any State's attorney has failed or refuses to turn over the fines and forfeitures collected by him as required, the court shall at once suspend him and appoint a State's attorney *pro tempore* to perform the duties of the office until such State's attorney shall have complied with the provisions of this act.

§ 8f. That the compensation and salaries provided for in this act, when said fund, as provided in section 8d of this act, shall be sufficient therefor, shall be paid in equal quarterly installments, and it shall be the duty of the county clerk at the end of each quarter of the year, to draw proper orders or warrants for the amounts due the State's attorney or his assistants, respectively, on the county treasurer, who shall pay the same on presentation properly endorsed: *Provided*, that no warrant for such salary or any part thereof, shall be drawn in excess of the fund provided by section 8d of this act.

§ 8g. Any portion of the said funds provided in section 8d of this act arising from the collection of fines and forfeitures, remaining after the payment of the salary of the State's attorney and compensation to his assistant or assistants, if any, shall be paid by the county treasurer to the county superintendent of schools on the first day of January next after the expiration of the term of office of the State's attorney.

§ 8h. Whenever 20 per cent. of the legal voters of any county shall petition the county judge to submit the proposition, whether or not the electors shall adopt this act, it shall be the duty of such county judge to submit such proposition at the next county

or State election. The proposition so to be voted for shall be on a separate ballot in plain, prominent type, and be prepared and provided for that purpose in the same manner as other ballots:

For adopting the proposed amendments to "An act concerning fees and salaries, and to classify the several counties of this State with reference thereto," viz: Sections 8a, 8c, 8b, [8d,] 8e, 8f, 8g and 8h.	YES
	NO

If a majority of the votes cast for or against such proposition shall be for such proposition, the aforesaid amendments shall be adopted, and the county judge shall enter of record an order declaring this act in force in such county.

APPROVED, May 15, 1903.

FISH AND GAME.

PROTECTION OF FISH.

- § 1. Amends sections 1, 4, 6, 12 and 18, act of 1897.
- § 1. Seines, nets, chemicals and explosives prohibited — other provisions.
- § 4. Appointment of fish wardens—powers and duties—salary.
- § 4a. Enforcement of act.

- § 6. Size of marketable fish prescribed.
 - § 12. Collection and disposition of fines.
 - § 18. Lawful times and methods of fishing defined.
- Approved May 13, 1903.

AN ACT to amend section one (1), section four (4), section six (6), section twelve (12) and section eighteen (18) of an act entitled, "An act to encourage the propagation and cultivation, and to secure the protection of fishes in all the waters under the jurisdiction of the State of Illinois," approved June 11, 1897, in force July 1, 1897, as amended by an act approved May 11, 1901, in force July 1, 1901, and by adding section four a (4a) thereto:

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section one (1), section four (4), section six (6), section twelve (12) and section eighteen (18) of an act entitled, "An act to encourage the propagation and cultivation, and to secure the protection of fishes in all the waters under the jurisdiction of the State of Illinois," approved June 11, 1897, in force July 1, 1897, as amended by an act approved May 11, 1901, in force July 1, 1901, be amended so as to read as hereinafter set forth, and, that section four a (4a) be added thereto.

§ 1. That no person or persons shall place, or cause to be placed, or erect any seine, weir, net, fish dam or other obstruction in or

across any of the rivers, creeks, ponds, streams, lakes, sloughs, bayous or other water or water courses within the jurisdiction of this State, in such manner as will obstruct the free passage of fish up and down and through such waters or water courses, and it shall be unlawful for any person to catch or take fish, except minnows for bait, with any device or means other than a hook and a line, within one-half mile of any dam constructed across any of the rivers or creeks or other water courses within the jurisdiction of this State. That it shall be unlawful for any person to catch or kill any fish in or upon any of the lakes or rivers within the jurisdiction of this State, with any device or means when such waters are covered with ice. That it shall be unlawful for any person to catch or kill, or attempt to catch or kill any fish with any trammel net, seine, basket or other devices used as a seine, in or upon any of the rivers, creeks, streams, ponds, lakes, sloughs, bayous, or other water courses within the jurisdiction of this State, nor shall the meshes of any weir, seine of any net or seine used for catching fish, except for catching minnows for bait, be less than one and one-half inches square: *Provided, however,* that seining shall be lawful and allowed between the first day of July in each year and the fifteenth day of April in the following year, with seines, the meshes of which shall not be less than one and one-half ($1\frac{1}{2}$) inches square; in such rivers or streams as are used for navigation within the jurisdiction of this State: *Provided, also,* that it shall be lawful for the fish commissioners, or persons authorized by them to take fish in any way, at any time, and in any such places, as they deem best for the purpose of propagation, distribution or destroying of objectionable fish.

It shall be unlawful for any person to buy, sell or have in possession any fish at any time which shall have been caught, taken or killed contrary to the provisions of this act, and any person so offending shall be deemed guilty of a misdemeanor and fined as provided in this act: *Provided further, however,* that every person who shall at any time catch or kill or take, or attempt to catch or kill any fish in any of the rivers, creeks, ponds, lakes, streams, sloughs, bayous or other water courses within the jurisdiction of this State, by the use of lime, acid, medical or chemical compounds, or dope or any medicated drug, or any cocolus [cocculus] indicus or fishberry, or any dynamite or giant powder, nitro-glycerine, or any explosive substance of which nitro-glycerine composes a part, or other explosive, shall be deemed guilty of a felony and, upon conviction, shall be imprisoned in the penitentiary not less than one year or more than two years: *And, provided also,* that when gar are taken by seine or net, they shall be destroyed, and any person or persons neglecting to destroy such gar, shall be deemed guilty of a misdemeanor, and fined as provided in this act: *And, provided also,* every person who shall at any time kill, or attempt to kill with spear in any of the rivers, creeks, ponds, lakes, streams, sloughs, bayous or other water courses within the jurisdiction of this State, any fish, except the German carp, shall be deemed guilty of a misdemeanor, and fined as provided in this act.

§ 4. The Governor, on request of the fish commissioners, shall appoint five (5) fish wardens, who shall be under the supervision of the fish commissioners, and whose duty it shall be to enforce all laws relating to fishes, arrest all violators thereof, and prosecute offenders against the same. They shall have power to serve process against such offenders, and shall have power to arrest, without warrant, any person for violating any of the provisions of this act. Each of the said fish wardens shall receive a salary of nine hundred (900) dollars per annum, to be paid out of the State Treasury upon bills audited by the fish commissioners, and approved by the Secretary of State, and Governor.

§ 4a. To enforce the provisions of this act, all suits brought under the same shall be brought in the name of the People of the State of Illinois, and shall be brought on the complaint of any person or persons showing by affidavit that some section of this act has been violated, giving the names of the persons violating, if known, and if unknown, such affidavit shall state that such violation has been committed by some person or persons, whose name or names are unknown, and such complaint shall be made before any justice of the peace of the county in which such violation has been made.

§ 6. It shall be unlawful to sell or offer for sale any of the following named fishes mentioned below, which are less than the weight or length specified for each:

Black bass.....	11 inches
White or striped bass.....	8 inches
Rock bass.....	7 inches
Black or river croppie.....	7 inches
White croppie.....	8 inches
Yellow or ring perch.....	6 inches
Wall-eyed pike or pike perch.....	15 inches
Pike or pickerel.....	18 inches
Buffalo.....	15 inches
German carp.....	13 inches
Native carp.....	12 inches
Sun fish.....	6 inches
Red-eyed perch.....	6 inches
Blue or channel cat.....	13 inches
White perch.....	10 inches
White fish, menomie.....	1 pound
Common white fish.....	1½ pound
Lake trout.....	1½ pound
Turtle or terrapin.....	7 inch shell

And, provided further, that the possession of any of the above named species for the purpose of sale, or offering for sale of less length and weight than above designated, shall be *prima facie* evidence of the violation of this section, and subject the party or parties having them in their possession to the penalty hereinafter mentioned.

§ 12. Whenever any judgment for conviction shall be rendered against any defendant or defendants as above provided, execution

shall issue forthwith on such judgment, and the sheriff or constable to whom the same shall be directed, shall pay the penalties collected on such execution in payment of such judgment, to the justice of the peace who imposed said fine, or to the clerk of the court wherein the fine was imposed, and such justice or clerk shall immediately pay to the State Treasurer the amount of said fine, to be used in payment of such expenses as may be incurred by the wardens in the enforcement of this act. Said money to be paid out on the order of a majority of the Board of Fish Commissioners, and approved by the Governor.

§ 18. It shall be unlawful to seine, kill or take any kind of fish whatsoever, except by hook and line, in any of the rivers, creeks, lakes, sloughs, bayous, or other water courses within the jurisdiction of this State, between the 15th day of April and the 1st day of August of each and every year: *Provided, however,* that it shall be unlawful at any time to take, seine, net or kill, in any of the water or water courses within the jurisdiction of the State of Illinois, by any means whatsoever, except by hook and line, black bass, pike, pickerel, or wall-eyed pike, commonly known as jack or yellow salmon, at any time: *And, provided further,* that it shall be unlawful to catch or kill any fish whatsoever, by use of nets, in any of the rivers, creeks, ponds, lakes, sloughs, bayous or water courses within the jurisdiction of this State, between the 15th of April and the 1st day of June of each and every year: *And, provided further,* that nothing in this section shall be so construed as relating or applying to Lake Michigan.

APPROVED May 13, 1903.

PROTECTION OF GAME.

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| <p>§ 1. When game may be killed and how—penalties for violation.</p> <p>§ 2. Having, selling and transporting game—when unlawful—penalties.</p> <p>§ 3. Killing birds other than game birds—penalty—game birds defined.</p> <p>§ 4. Destroying nests and eggs—penalty.</p> <p>§ 5. Trapping and snaring birds—penalty.</p> <p>§ 6. Sale of game and birds—taxidermists excepted—game from other states.</p> <p>§ 7. Common carriers—game in transit through State.</p> <p>§ 8. Prosecutions—duties of certain officers—disposition of fines.</p> <p>§ 9. Prosecutions to be commenced within six months.</p> <p>§ 10. Certain game not to be killed for 10 years—penalty—disposition of fines.</p> <p>§ 11. Title to wild game and birds is in the State.</p> <p>§ 12. Destroying nests and eggs—penalty.</p> <p>§ 13. Exceptions as to sections 3 and 12.</p> <p>§ 14. Certificates authorizing collection of eggs and birds may be granted by county clerk—fee—bond—penalty.</p> <p>§ 15. All certificates expire June 1 of each year.</p> <p>§ 16. State Game Commissioner—appointment—duties—appointment of game wardens.</p> | <p>§ 17. Powers and duties of game commissioner, wardens and deputies—sheriffs, police officers, etc., are <i>ex officio</i> deputy game wardens.</p> <p>§ 18. Compensation of State Game Commissioner, game wardens and deputies.</p> <p>§ 19. Search warrants for game.</p> <p>§ 20. Hearing on warrants.</p> <p>§ 21. Sale of game seized.</p> <p>§ 22. Disposition of proceeds of sale.</p> <p>§ 23. Commissioner's annual report to Governor.</p> <p>§ 24. Officers not liable for wrongful seizure.</p> <p>§ 25. Hunter's license provided for.</p> <p>§ 26. Alteration or transfer of license—penalty.</p> <p>§ 27. Prosecutions relating to license—disposition of fines.</p> <p>§ 28. Hunting on lands of others without permission.</p> <p>§ 29. Prosecution for violation of section 28.</p> <p>§ 30. Penalty for violation of section 28.</p> <p>§ 31. Use of ferrets for hunting—penalty.</p> <p>§ 32. Repeal of certain acts.</p> |
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Approved April 28, 1903.

AN ACT for the protection of game, wild fowl and birds, and to repeal certain acts relating thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It is hereby declared to be unlawful to hunt, kill, net, entrap, ensnare or destroy or attempt to hunt, kill, net, entrap, ensnare or destroy or to have in possession any quail between the 20th day of December and the 10th day of November of each succeeding year; or any ruffed grouse (partridge), or pinnated grouse (prairie chicken), for a period of four years from the date of the passage of this act; or any woodcock or mourning dove between the first day of December and the first day of August of each succeeding year; or any grey, red, fox or black squirrel between the 31st day of December and the first day of July of each succeeding year; or any jack snipe, Wilson's snipe, sand snipe or any kind of snipe or any golden plover, up-land plover or any kind of plover between the first day of May and the first day of September of any year. And it shall be unlawful to kill, hunt, ensnare, entrap or attempt to kill, hunt, ensnare, entrap or otherwise destroy any wild goose, duck, brant, or other water fowl at any time between the 15th day of April and the first day of September of any year.

And it shall be unlawful to hunt, kill, entrap, ensnare or attempt to hunt, kill, entrap, ensnare or otherwise destroy any wild goose, duck, brant, rail or other water fowl between the sunset of any day and the sunrise of the next succeeding day at any period of the year. And it shall be further unlawful at any time to hunt, kill, entrap or ensnare, or attempt to hunt, kill, entrap or ensnare or otherwise destroy any wild goose, brant, duck or any other water fowl from any fixed or artificial ambush beyond the lines of natural covering of reeds, canes, willows, flags, crooked brush, wild rice or other vegetation above the water of any lake, river, bay or inlet, or other water course wholly within the State, or with the aid or use of any device commonly called sneak boat, sink box or other device for the purpose of concealment in the open waters of this State. And it shall further be unlawful to shoot, kill or destroy or shoot at any wild goose, duck, brant or other water fowl with a swivel gun, or from any sail boat, electric launch or steam boat, at any time in any part of the water of any lake, river, bay or inlet, or other water course wholly within this State: *Provided*, that it shall be unlawful to kill, entrap, ensnare or otherwise destroy any of the ducks, geese or brant mentioned in this section at any time for market or other commercial purposes, nor more than fifty by one person in one day. Any person or persons so offending shall, for each and every offense, be deemed guilty of a misdemeanor and on conviction, shall be fined in any sum not less than fifteen dollars nor more than fifty dollars and costs of suit, and shall stand committed to the county jail until such fines and costs are paid: *Provided*, that such imprisonment shall not exceed ten days, and the killing of each bird or animal herein specified shall be deemed a separate offense.

§ 2. It shall be unlawful for any person to buy, sell or have in possession any of the animals, wild fowl or birds mentioned in section 1 of this act, at any time when the killing, trapping, netting and ensnaring of such animals, wild fowl or birds shall be unlawful, which shall have been killed, entrapped, netted or ensnared contrary to the provisions of this act. And it shall further be unlawful for any person or persons at any time to sell or expose for sale, or to have in his or their possession for the purpose of selling, any quail, pinnated grouse or prairie chicken, wild duck, goose or brant, ruffed grouse or partridge, grey, red, fox or black squirrel or wild turkey that shall have been caught, ensnared, entrapped or killed within the limits of this State. And it shall further be unlawful for any person, corporation or carrier to receive for transportation, to transport, carry or convey any of the aforesaid quail, pinnated grouse or prairie chicken, ruffed grouse or partridge, squirrel, duck, goose, brant or wild turkey that shall have been caught, ensnared, entrapped or killed within the limits of this State, knowing the same has been sold, or to transport, carry or convey the same to any place where it is to be sold or offered for sale, or to any place outside of this State for any purpose, except such person have a license from this State so to do. And any person guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and, on conviction thereof shall be fined not less than twenty-five

dollars nor more than one hundred dollars for each and every offense and shall stand committed to the county jail not exceeding ten days or until such fines and costs are paid: *Provided*, that the selling, exposing for sale, having in possession for sale, transporting or carrying and conveying contrary to the provisions of this section, of each and every animal or bird forbidden herein, shall be deemed a separate offense.

§ 3. Any person who shall, within the State, kill or catch or have in his or her possession, living or dead, any wild bird or part of bird other than a game bird, English sparrow, crow, crow-blackbird or chicken hawk, or who shall purchase, offer or expose for sale any such wild bird or part of bird after it has been killed or caught, shall, for each offense, be subject to a fine of five dollars for each bird killed or caught or had in his or her possession, living or dead, or imprisoned for ten days, or both, at the discretion of the court: *Provided*, that nothing in this section shall be construed to prevent the owner or occupant of lands from destroying any such birds or animals when deemed necessary by him for the protection of fruits or property. For the purpose of this act the following only shall be considered game birds: The Anatidæ, commonly known as swans, geese, brant and river and sea ducks; the Ballidæ, commonly known as rails, and Gallinules, the Limicolæ, commonly known as shore birds, plovers, surf birds, snipe, woodcock and pipers, tattlers and curlews; the Callinæ [Gallinæ] commonly known as wild turkeys, grouse, prairie chickens, pheasants, partridges, quails and mourning doves.

§ 4. It shall be unlawful for any person or persons to destroy or remove from the nests of any prairie chicken, grouse, quail, wild turkey, duck, goose or brant any egg or eggs of such fowl or wild bird or for any person to buy, sell, have in possession or traffic in such eggs or wilfully destroy the nests of such birds or fowls, or any or either of them. Any person so offending shall, on conviction, be fined \$5 for each offense.

§ 5. No person or persons shall, at any time, with trap, snare or net take or attempt to entrap, ensnare or net any wild turkey, prairie chicken, quail, grouse or pheasant at any time, and every person so offending shall, on conviction, be fined in a sum not less than \$10 nor more than \$25 and costs of suit, and shall stand committed to the county jail until such fine is paid: *Provided*, that such imprisonment shall not exceed 15 days.

§ 6. No person or persons shall sell or expose for sale, or have in his or their possession for the purpose of selling or exposing for sale, any of the animals, wild fowls or birds mentioned in section 1 of this act, after the expiration of five (5) days next succeeding the first day of the period in which it shall be unlawful to kill, entrap or ensnare such animals, wild fowls or birds; nor shall any of such animals, wild fowls or birds be sold or offered for sale during the first two days of the open season. Any person so offending shall, on conviction, be fined and dealt with as specified in section one (1) of this act, and selling or exposing for sale, or having the same in possession

for the purpose of selling or exposing for sale, any of the animals or birds mentioned in this section, after the expiration of the time mentioned in this section, shall be *prima facie* evidence of the violation of this act: *Provided*, that the provisions of this act shall not apply to the killing of birds by or for the use of taxidermists for preservation either in public or private collections, if so preserved: *Provided, further*, that nothing contained in this section shall be construed as modifying or being in conflict with section two of this act, or authorizing or legalizing the sale or exposing for sale, transportation or receiving for transportation, any of the animals, birds or game as therein prohibited: *And, provided, also*, that the inhabitants of villages and cities may receive game from other states, and expose and sell the same on the market in said villages and cities, between the first day of October and the first day of February of the following year.

§ 7. The provisions of this act shall not be construed as applicable to any express company or common carrier, into whose possession any of the animals, wild fowl or birds herein mentioned shall come in the regular course of their business for transportation, while they are in transit through this State, from another state, where the killing and transportation of said animals, wild fowl or birds be lawful. But, notwithstanding this provision, the having or being in possession of any such animals, wild fowl or birds, as are mentioned in section one (1), upon any of the days upon which the killing, entrapping, ensnaring, netting, buying, selling or having in possession any such animals, wild fowl or birds, shall be unlawful by the provisions of this act, shall be deemed and taken as *prima facie* evidence that the same was ensnared, entrapped, netted or killed in violation of this act.

§ 8. All prosecutions under the provisions of this act, except as otherwise herein provided, shall be brought by any person, in the name of the People of the State of Illinois, against any person or persons violating any of the provisions of this act, before any justice of the peace of any county, in which such violation is alleged to have taken place (and said justice may, on proper evidence of guilt, bind said violator over to the grand jury), or before any court of competent jurisdiction; and it is hereby made the duty of the State's attorney to see that the provisions of this act are enforced in their respective counties, and they shall prosecute all offenders on receiving information of the violation of any of the provisions of this act; and it is made the duty of sheriffs, constables and police officers to inform against and prosecute all persons whom there is probable cause to believe are guilty of violating any of the provisions of this act. One-half of the amount recovered in any penal action under the provisions of this act shall be paid to the person filing the complaint in such action, and the remaining one-half to the game protection fund.

§ 9. All prosecutions under this act shall be commenced within six months from the time such offense was committed and not afterwards.

§ 10. That it shall be unlawful for any person in the State of Illinois, for and during the period of ten years from and after the passing of this act, to injure, take, kill, expose or offer for sale, or have in possession, except for breeding purposes, any wild buck, doe or fawn; and for five years any wild turkey, ring-neck, Mongolian pheasant, any green Japanese pheasant, English pheasant, any copper pheasant or scholmeringen, any Trogopan pheasant, silver pheasant or golden pheasant, any Cacabis and chucker partridge, any sand grouse, and black Indian partridge: *Provided*, that cock pheasants may be killed and sold from the first day of November to the thirty-first day of December, inclusive, of each and every year, by the breeders thereof, upon a permit issued to them by the State Game Commissioner. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, and, in default of payment of the fine imposed, shall be imprisoned in the county jail at the rate of one day for each dollar of the fine imposed. The one-half of all fines imposed and collected under this act shall be paid to the informer, and the balance shall be paid to the game protection fund.

§ 11. The ownership of and the title to all wild game and birds in the State of Illinois is hereby declared to be in the State, and no wild game or birds shall be taken or killed in any manner or at any time, except the person so taking or killing shall consent that the title to said game shall be and remain in the State of Illinois for the purpose of regulating the use and disposition of the same after such taking or killing. The taking or killing of wild game or birds at any time or in any manner or by any person shall be deemed a consent of said person that the title to such game or birds shall be and remain in the State, for said purpose of regulating the use and disposition of the same.

§ 12. Any person who shall, within the State of Illinois, take or needlessly destroy the nest or the eggs of any wild game or birds, or shall have such nest or eggs in his or her possession, shall be subject for each offense to a fine of five dollars, or imprisonment for ten days or both, at the discretion of the court.

§ 13. Section 3 and 12 of this act shall not apply to any person holding a certificate giving the right to take birds and their nests and eggs for scientific purposes, as provided for in section 14 of this act.

§ 14. Certificates may be granted by the county clerks of the several counties of this State to any properly accredited person of the age of eighteen years and upward, permitting the holder thereof to collect birds, their nests or eggs for strictly scientific purposes only. In order to obtain such certificate the applicant for the same

must present to the county clerk to whom the application is made, written testimonials from two well-known scientific men, certifying to the good character and fitness of said applicant to be entrusted with such privilege; and must pay to said county clerk one dollar to defray the necessary expenses attending the granting of such certificates, and must file with said county clerk a properly executed bond in the sum of two hundred dollars, signed by two responsible citizens of the State as sureties. This bond shall be forfeited to the State and the certificates become void upon proof that the holder of such a certificate has killed any bird or taken the nest or eggs of any bird for other than the purposes named in sections 3 and 13 of this act, and shall be further subject for each offense to the penalties provided therefor in sections three (3) and twelve (12) of this act.

§ 15. The certificates authorized by this act shall be in force until the first day of June next succeeding only from the date of their issue, and shall not be transferable.

§ 16. In order that the provisions of this act may be more fully carried out, the Governor of the State shall appoint one State Game Commissioner, whose term of office shall be for the period of incumbency of the Governor appointing him or until his successor is appointed, whose duty it shall be to secure the enforcement of all the statutes of the State for the preservation of game and birds, to bring or cause to be brought, actions and proceedings in the name of the People of the State of Illinois, to recover any and all fines and penalties provided for in such laws relating to game and birds, and to prosecute all violators of said statutes. The State Game Commissioner is empowered to appoint by and with the approval of the Governor, ten game wardens who shall have no other employment or business. They shall devote their entire time to the work of game protection, and shall travel over the State in all seasons for this purpose, under the direction of the State Game Commissioner. Such appointments shall be for efficient service only and regardless of political influence; the State Game Commissioner is also authorized to appoint one deputy game warden from each county of the State. They shall have authority with the State Game Commissioner in enforcement of the game laws of the State, and relative to game and birds throughout the State, and shall be immediately responsible to the State Game Commissioner and shall report to and receive their instructions from him. Such game wardens and deputy game wardens shall be subject to removal by the State Game Commissioner at any time.

§ 17. Such State Game Commissioner, game wardens and their deputies shall have full power to execute and serve all warrants and processes of law issued by any justice of the peace or police magistrate, or by any court having jurisdiction under the law relating to the game in the same manner as any constable may serve and execute such process, and may arrest on sight and without warrant, any person detected by them actually violating any of the provisions of the laws of the State relating to game and birds, and may take such per-

son so offending before any court having jurisdiction of the offense, and make proper complaint before such court, which shall proceed with the case in the manner and form provided by law for misdemeanor. It shall further be the duty of such State Game Commissioner, game wardens or their deputies, upon receiving any information that any law relative to game and birds has been violated, to immediately cause a thorough examination of such complaint to be made, and to cause proceedings to be instituted if the proof at hand warrants; and all sheriffs, deputy sheriffs, coroners and police officers of the State are hereby declared to be *ex officio* deputy game wardens, and it shall be the duty of each and every one of them to assist the State Game Commissioner, game wardens and their deputies in the enforcement of the State game laws the same as it is their duty to assist in the enforcement of other laws, and such State Game Commissioner, game wardens and deputy game wardens shall seize on sight without process, any game found in the possession of any person or corporation which is so in possession contrary to law.

§ 18. Such State Game Commissioner shall receive a salary of twenty-five hundred dollars per year, and his actual expenses and disbursements while traveling in the line of his duties, such expenses and disbursements to be audited and paid from the game protection fund, upon vouchers therefor, filed with the Secretary of State, and approved by the Governor. He shall also be allowed the necessary printing, stationery and postage, and shall be furnished a suitable room and necessary office furniture, and such assistance, such as clerk and stenographer, as the office requires, the same to be paid from the game protection fund. The game wardens provided for in this act shall receive nine hundred dollars per annum, payable monthly, such salary to be audited and paid from the game protection fund, and upon the certificates of the State Game Commissioner that such services have actually been rendered under his direction. In addition to the salary per annum provided for, such game wardens shall receive the actual and necessary expenses incurred while working under the direction of the State Game Commissioner, which expenses shall be paid upon vouchers therefor, filed with the Secretary of State, approved by the Governor, and countersigned by the State Game Commissioner: *Provided*, that should the game protection fund become exhausted during any year, the State Game Commissioner shall have the power and authority to suspend any number or all game wardens or deputies until such fund is again replenished. All moneys used for the payment of vouchers, so mentioned in this act, shall be taken from and charged to the game protection fund. The deputy game wardens appointed from any county shall receive one-half of all fines wherein the case has been brought by them for violation of the game and license law, and shall receive a *per diem* when actually employed not exceeding two dollars per day, to be fixed by the State Game Commissioner; the remaining one-half of the fine shall be paid into the game protection fund. And in such cases where the violator [violator] does not pay a fine, but is committed to jail, the said deputy warden shall be reimbursed for his actual ex-

penses on vouchers filed, and approved the same as that provided for game wardens, to be paid out of the game protection fund; but such expense shall not be paid in any case other than game cases, or cases relating to licenses.

§ 19. If said State Game Commissioner, game wardens and deputies, or either of them, has reason to believe, or does believe, that any person or corporation has in his or their possession, contrary to law, any game, deer, wild fowl or bird, it shall be the duty of such game commissioner, game wardens or deputies to go before any justice of the peace in the county and make affidavit of that fact; said justice shall thereupon issue a search warrant against the person or corporation so complained of, directed to any constable of the county, commanding him to proceed at once and search for said game, deer, wild fowl or bird, and upon finding the same to seize and take possession of the same and keep it until further ordered by the justice: said constable shall also read said warrant to the owner or person in whose possession said game, deer, wild fowl or bird is found. Said warrant shall be substantially as follows:

State of Illinois, }
County, } ss.

To any constable of said county; greeting:

You are hereby commanded to search (here describe place), seize and take possession of and hold any game, wild fowl or bird found there. And you (here name owner or person or corporation in whose possession game is found) are hereby notified to appear before me at my office in (here locate office), on (here state time of trial), and show cause why the game, deer, wild fowl or birds should not be sold and the proceeds thereof distributed, as required by law.

(Signature of Justice.)

Justice of the Peace.

(Date of warrant.)

§ 20. At the time mentioned in said warrant said justice shall proceed to hear and determine whether said game, deer, wild fowl or bird was in the possession of the person or corporation contrary to law, and if said justice finds that said game, deer, wild fowl or bird was in the possession of the defendant contrary to law, then said justice shall enter judgment against the defendant and order a sale of the game, deer, wild fowl or bird seized; but if said justice shall find that the possession of said game, deer, wild fowl or bird was not contrary to law, then the judgment of the court shall be that the same be returned to the person or corporation from whom the same was taken.

§ 21. In case of a judgment and order of sale, as specified in section 20, then said constable shall at once post two notices, one at the justice's office and one at the place of sale, specifying in each notice the time and place of sale—not less than five hours from the date of judgment—also a description of the game, deer or wild fowl to be sold; said place of sale shall be upon the principal produce street or

market of the city; said constable shall, at the time and place mentioned in said notices, sell said game, deer, wild fowl or bird at public auction to the highest bidder, for cash, and at once pay the proceeds of such sale into the justice's court; said constable shall give to the purchaser a certificate of purchase, in which shall be a particular description of the game sold, together with the date of sale.

§ 22. Said justice shall, as soon as the proceeds of sale are paid into his court, deduct the amount of his costs, together with the constable's costs, and distribute the balance as follows: One-half shall be paid to the game warden or deputy making the complaint, which shall be kept by him for his services, and one-half paid into the State treasury at once, for the benefit of the game protection fund.

§ 23. Said State Game Commissioner shall make an annual report to the Governor, which shall include the reports of the game wardens and deputy wardens, showing the number and kind of game, deer, wild fowl and birds seized, and what disposition was made of them, and the amount of proceeds of sale.

§ 24. The State Game Commissioner, game wardens and deputy game wardens shall not be liable for any damage or costs sustained by any person or corporation by reason of the wrongful seizure of game, deer, wild fowl or birds under this act.

§ 25. For the purpose of increasing the game protection fund and preventing unauthorized persons from killing game and birds, no person or persons shall at any time hunt, pursue or kill with gun any of the wild animals, fowl or birds that are protected during any part of the year, without first having procured a license so to do, and then only during the respective periods of the year, when it shall be lawful. Said license shall be procured in the following manner, to-wit: The applicant shall fill out a blank application to be furnished by the State Game Commissioner through the clerk of each county, city and town, stating name, age, occupation and place of residence of applicant; said application shall be subscribed and sworn to by the applicant before any officer authorized to administer oaths in the State of Illinois; and said applicant, if a non-resident, shall pay to the county clerk the sum of fifteen (15) dollars, together with the sum of fifty cents as the fee of the county clerk, and, if a resident, shall pay to the clerk of any city, town or county the sum of one (1) dollar as a license fee, together with the sum of ten cents as the fee of the city, town or county clerk for issuing such license, which said license shall bear the signature of the State Game Commissioner and the seal of the county, city or town in which same is issued, and be countersigned by the said clerk, and such licensee, if a non-resident, is hereby authorized to take from the State fifty (50) birds of all kinds killed by himself or herself, which shall be carried openly for inspection, together with his or her license. The number of game birds that may be killed in any one day by one person, is hereby limited to fifty (50) ducks of all kinds and twenty-five (25) game birds of any other one kind, except prairie chicken. The license fees above provided for shall be paid by the said clerk to the State Treasurer

within thirty days after its receipt, and shall be placed to the credit of a fund to be known as the "State game protection fund," and shall be disbursed by the State Treasurer on warrants signed by the Governor of the State and countersigned by the State Game Commissioner, when such warrants are accompanied by vouchers signed by the Auditor of Public Accounts, showing the liabilities of the State incurred in the protection of game, wild fowls and birds. Every license issued shall be signed by the licensee in ink, as aforesaid, shall entitle the person to whom issued to hunt, pursue and kill game within the State at any time when it shall be lawful to hunt, pursue and kill such game, and no person to whom a license has been issued shall be entitled to hunt, pursue or kill game in this State without at the time of such hunting, pursuing and killing of game, he or she shall have such license in his or her name and possession, ready to exhibit the same for inspection, and such license shall be void after the first day of June next succeeding its issuance: *Provided*, that the owner or owners of farm land, their children or tenants shall have the right to hunt and kill game on the farm land of which he or they are the *bona fide* owners or tenants during the season when it is lawful to kill game, without procuring such resident license. Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty-five (25) nor more than fifty (50) dollars for each and every offense, and shall stand committed to the county jail until such fine and costs are paid, but such imprisonment shall not exceed thirty days for each offense; or such person may be proceeded against in an action of debt in the name of the People of the State of Illinois for the recovery of the penalty herein prescribed.

§ 26. Any person who shall at any time alter or change in any material manner or loan or transfer to another, any license issued as aforesaid, shall be deemed guilty of forgery, and, on conviction thereof shall be subject to the penalties provided for the commission of forgery.

§ 27. All prosecutions for the violation of the provisions of the act relating to license shall be brought by any person, in the name of the People of the State of Illinois against any person or persons violating any of the provisions of this act, so far as it relates to licenses, before any court of competent jurisdiction; and it is hereby made the duty of all State's attorneys to see that the provisions of this act are enforced in their respective counties, and shall prosecute all offenders on receiving information of the violation of any of the provisions of this act; and it is made the duty of all sheriffs, deputy sheriffs, constables and police officers to inform against and prosecute all persons whom there is a reasonable cause to believe are guilty of violating any of the provisions of this act; one-half of the amount recovered in any penal action under this act, in so far as it relates to license, shall be paid to the person filing the complaint in such action, and the remaining one-half to the game protection fund; the moneys for such

fund shall be by the magistrate or court before whom the case is tried, at once transmitted to the State Treasurer, and by him placed to the credit of said fund.

§ 28. It shall be unlawful for any person to hunt with gun or dog, within or upon the grounds or lands of another, without first obtaining from the owner, agent or occupant of such lands or grounds, his, her or their permission so to do.

§ 29. Any person or persons violating section 28 of this act shall be deemed guilty of a misdemeanor, and may be prosecuted in the name of the People of the State of Illinois, before any justice of the peace, or by indictment, or information in any court in the county where such misdemeanor was committed: *Provided* that in all such prosecutions the owner, or owners or persons in possession of said grounds or lands, shall not be required to prove title to the grounds or lands in controversy.

§ 30. Any person convicted of violating section 28 of this act shall be fined in a sum of not less than three (3) dollars and not to exceed fifteen (15) dollars, and on failure to pay such fine shall be committed to the county jail for a period of not less than ten (10) nor more than thirty (30) days. All fines collected by virtue of this act shall be paid to the common school fund of the township in which the offense is committed.

§ 31. No person shall, in this State, at any time use any ferret for the purpose of hunting, capturing or killing any game, animals or rabbits. Any person convicted of violating this section shall be fined in a sum of not less than three (3) nor more than fifteen (15) dollars or confined in the county jail for a period not to exceed ten (10) days.

§ 32. An act entitled, "An act to provide additional remedies for the protection of game, wild fowl and birds, and to amend, revise and consolidate the amended game law, approved June 1, 1889, and in force July 1, 1889; and the game warden act, approved June 27, 1885, in force July 1, 1885; and the act to prohibit persons from hunting within the enclosures of others without leave, as amended by act approved June 17, 1891, in force July 1, 1891," approved April 24, 1899; and an act entitled, "An act to amend section one (1) and section twenty-six (26) of an act entitled, 'An act to provide additional remedies for the protection of game, wild fowl and birds; and to amend, revise and consolidate the amended game law, approved June 1, 1889, and in force July 1, 1889; and the game warden act, approved June 27, 1885, in force July 1, 1885; and the act to prohibit persons from hunting within the enclosures of others without leave, as amended by act approved June 17, 1891, in force July 1, 1891,' as amended by act approved April 24, 1899, in force July 1, 1899," approved May 10, 1901; and all acts and parts of acts inconsistent herewith, are hereby repealed: *Provided*, that nothing in this act contained shall apply to persons hunting on the land of another person by invitation of such land owner.

APPROVED April 28, 1903.

GARNISHMENT.

GARNISHMENT OF WAGES EARNED OUTSIDE OF STATE.

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| § 1. Attachment or garnishment of wages
earned outside of State—service of
process—dismissal of suit. | | Approved May 13, 1903. |
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AN ACT in relation to wages earned out of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That wages earned out of this State, and payable out of this State, shall be exempt from attachment or garnishment in all cases where the cause of action arose out of this State, unless the defendant in the attachment or garnishment suit is personally served with process; and, if the writ of attachment or garnishment is not personally served on the defendant, the court, justice of the peace or police magistrate issuing the writ of attachment or garnishment, shall not entertain jurisdiction of the cause, but shall dismiss the suit at the cost of the plaintiff.

APPROVED May 13, 1903.

INJURIES.

DEATHS CAUSED BY NEGLIGENCE OR DEFAULT.

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| § 1. Amends section 2, act of 1853. | | Approved May 13, 1903. |
| § 2. Action, how brought—damages
not to exceed \$10,000—time of
beginning action—deaths out-
side of State. | | |

AN ACT to amend section 2 of an act entitled, "An act requiring compensation for causing death by wrongful act, neglect or default," approved February 12, 1853, in force February 12, 1853.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section two (2) of an act entitled, "An act requiring compensation for causing death by wrongful act, neglect or default," be amended to read as follows:

§ 2. Every such action shall be brought by, and in the names of the personal representatives of such deceased person, and the amount recovered in every such action shall be for the exclusive benefit of the widow and next of kin of such deceased person, and shall be distributed to such widow and next of kin, in the proportion provided by law. In relation to the distribution of personal property left by persons dying intestate, and in every such action, the jury may give such damages as they shall deem a fair and just compensa-

tion with reference to the pecuniary injuries resulting from such death, to the wife and next of kin of such deceased person not exceeding the sum of ten thousand dollars: *Provided*, that every such action shall be commenced within one year after the death of such person: *Provided further*, that no action shall be brought or prosecuted in this State, to recover damages for a death occurring outside of this State, and that the increase from five thousand to ten thousand dollars in the amount hereby authorized to be recovered, shall apply only, in cases when death hereafter occurs.

APPROVED May 13, 1903.

INSURANCE.

FRATERNAL BENEFICIARY SOCIETIES—RESERVE FUND.

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| <p>§ 1. Investment of funds—approval of securities.</p> <p>§ 2. Unlawful investment of funds.</p> <p>§ 3. Securities may be deposited with insurance superintendent.</p> <p>§ 4. Registration and indorsement of securities—how withdrawn.</p> | <p>§ 5. Vault and registration fee.</p> <p>§ 6. Superintendent of insurance may make rules for administration of act.</p> <p>§ 7. Violations of act—penalty.</p> <p>Approved May 14, 1903.</p> |
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AN ACT to regulate and control the investment and safekeeping of the reserve funds of fraternal beneficiary societies, and to enable such societies to deposit their reserve fund securities in the custody of the State of Illinois, and provide for the registry thereof, and provide compensation therefor, and providing a penalty for the violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be lawful for any fraternal beneficiary society organized or doing business in this State, to invest its funds or accumulations in the stocks or bonds of the United States or of this State, or of any county, city or town in this State, or any national bank, or mortgages (being first liens) on real estate, being worth at least twice the amount of the money loaned thereon, and such other securities only as are approved by the insurance superintendent of this State.

§ 2. It shall be unlawful for any fraternal beneficiary society to invest its funds or accumulations in any other securities, except as in this act provided, and no securities not in accordance with the provisions of this act, shall be deposited or registered under the provisions thereof.

§ 3. Any fraternal beneficiary society organized in this State, may deposit in the custody of the State of Illinois, with the superintendent of insurance, in sums of not less than fifty thousand dollars (\$50,000) at any time, all or any portion of the securities belonging to its [to its] reserve fund; and such securities, when so deposited, shall be safely kept and preserved for the use of such society under the provisions of this act.

§ 4. The insurance superintendent shall receive all such securities, and shall register them in the name of the society to which they belong, in a register kept for that purpose, and shall indorse on each of said securities the following, to-wit:

This is the property of and deposited by the said society with the insurance superintendent of the State of Illinois, and held by him in trust for the benefit and security of the members of the said society, pursuant to the laws of the State of Illinois. It is not negotiable or transferable until withdrawn from the said trust, at which time it shall be indorsed by the insurance superintendent, and by the president and secretary of the society before the same shall become negotiable. Such registry and indorsement shall be public notice of the ownership of such securities, and the purpose for which deposited. The insurance superintendent shall hold such securities for the use and protection of the reserve fund of the society depositing the same, and shall permit such society, so long as it is solvent, to collect the interest or dividends thereon, and the principal thereof when due, for the use of its mortuary and reserve funds, and shall permit such society, whenever the receipt of its mortuary fund [funds] are insufficient to meet the death and disability liabilities accruing during any period of sixty days, to withdraw a sufficient sum in value of such securities to meet such deficiency, and shall permit any such society at any time to withdraw the whole or any part of such securities upon depositing with the insurance superintendent other securities of the kind heretofore named, and of equal value with those withdrawn. And upon the surrender of the charter, or the dissolution of any such society, all of its securities so deposited shall be withdrawn subject to the payment of its outstanding mortuary and disability liabilities. The securities so deposited shall be non-negotiable until withdrawn and indorsed as provided in this act, and when withdrawn, such withdrawal shall be indorsed thereon, signed by the insurance superintendent and the president and secretary of the society to which such securities belong. The securities so deposited shall not be withdrawn at any time, except upon written order of the executive committee or a board of not less than five persons duly authorized for that purpose of the society to which such securities belong, which order shall certify to the insurance superintendent the purpose of withdrawal of the securities, and the amount to be withdrawn, and shall be signed by a majority of such executive committee or board, and attested by the president and secretary of the society.

§ 5. Each society depositing securities as provided in this act shall pay a vault and registration fee of twenty-five cents per annum for each one thousand dollars deposited, which shall be in full for all services rendered.

§ 6. The superintendent of insurance is authorized and empowered to make and enforce such rules as are necessary for the deposit and safe keeping of the securities deposited with him, and for carrying out the provisions of this act.

§ 7. Any person or officer who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be fined in a sum not less than \$500, and not to exceed \$5,000.

APPROVED May 14, 1903.

JOINT STOCK AND MUTUAL FIRE COMPANIES.

§ 1. Amends section 6, act of 1869.

Approved May 14, 1903.

§ 6. Minimum capital for joint stock companies — mutual companies—requirements for commencing business—premium notes—liability of members.

AN ACT to amend section (6) of an act entitled "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved and in force March 11, 1869; and acts amendatory thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section six (6) of an act entitled "An act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved and in force March 11, 1869, and acts amendatory thereto, be amended so as to read as follows:

[§ 6.] No joint stock company shall be incorporated under this act with a smaller capital than one hundred thousand dollars (\$100,000) actually paid in cash.

Nor shall any company, formed under this act for the purpose of doing the business of fire or inland navigation insurance on the plan of mutual insurance, commence business until not less than two hundred thousand dollars (\$200,000) of insurance in not less than one hundred separate risks, no one of which for the purposes of organization shall exceed five thousand dollars (\$5,000) or be less than five hundred dollars (\$500) shall have been subscribed, of which ten thousand dollars (\$10,000) shall have been paid in cash, each subscriber agreeing in writing to assume a liability to be named in the policy, subject to call by the board of directors. Every mutual fire insurance company organized under this act shall charge and collect in advance on each of its policies, a sum in cash, not less than ten per cent of a premium note to be mentioned in the policy, which

note shall be subject to call by the board of directors, and shall be for not less than the amount of the premium for the full term of the policy according to the basis rate adopted by such company on the property covered by the policy, and the sum so collected in cash in advance shall stand as a credit on the amount of such note. No member shall be liable on any such note after the expiration of the term for which the policy shall be written, except for liability incurred during said term. And it shall not be lawful for any such company to issue any other kind of a policy: *Provided, however,* that nothing in this section shall be held to prohibit any such company from issuing a policy for one year or less, for a full cash premium according to the basis rate aforesaid.

APPROVED May 14, 1903.

POLICIES IN UNAUTHORIZED CORPORATIONS.

§ 1. License to agents to write policies in companies not authorized to do business in Illinois—license fee—agents accounts, how kept—bond—payment to insurance superintendent.

Approved May 14, 1903.

AN ACT for licenses to agents to procure fire policies in unauthorized corporations, providing for a bond to be given by such agents, and for a tax upon the receipts of premiums received for policies so issued within the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Superintendent of Insurance, in consideration of the yearly payment of two hundred dollars, except in counties having less than one hundred thousand inhabitants, in which case the fee shall not exceed twenty-five dollars, may issue to citizens of this State a license, revokable at any time, permitting the party named in such license to act as agent to procure policies of fire insurance from corporations, persons, partnerships and associations which are not authorized to do business in this State. Before any insurance shall be procured under or by virtue of said license, there shall be executed by the licensed agent an affidavit, which shall be filed in the insurance department of this State within thirty days after the procuring of such insurance. Such affidavit shall set forth that the licensed agent is, after diligent effort, unable to procure the amount of insurance required to protect the property described in said affidavit, from the insurance corporations duly authorized and licensed to transact in this State. The agent procuring policies in such unauthorized corporations or with persons, partnerships and associations, shall keep a separate account thereof, open at all times to the inspection of the insurance superintendent, showing first, the amount of such insurance placed for any party; second, the gross premiums charged

thereon; third, in what corporation or with what persons, partnerships or associations the insurance is placed; fourth, the date of the policy; fifth, the term thereof, and sixth, the cities, towns and villages in which the insured property is located. Each party receiving such license shall, before transacting business thereunder, execute and deliver to the superintendent a bond to the People of the State, in the penal sum of two thousand dollars, with such sureties as the superintendent shall approve, conditioned that the said agent will faithfully comply with all the requirements of this act, and will pay to the insurance superintendent of the State of Illinois, for the use and benefit of said State, a sum equal to two (2) per cent upon the amount of the gross premiums received from policy holders upon all policies procured by him or issued by him during the preceding six months pursuant to this act, and in default of the payment to said insurance superintendent of any sum to which he is entitled under this act, he, the said insurance superintendent, may sue for the same in any court of record in this State.

APPROVED May 14, 1903.

TOWNSHIP INSURANCE COMPANIES.

§ 1. Amends section 3, act of 1893.

Approved May 14, 1903.

§ 3. Directors—number—first election—term of office—subsequent elections—voting by proxy may be abolished.

AN ACT to amend section three (3) of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended by act approved June 19, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section three (3) of an act entitled "An act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended by act approved June 19, 1893, in force July 1, 1893, be amended to read as follows:

§ 3. The number of directors shall not be less than nine nor more than fifteen, a majority of whom shall constitute a quorum to do business, to be elected from the corporators by ballot, of whom one-third shall be elected for one year, one-third for two years, and one-third for three years, until their successors are elected and qualified. At all subsequent elections, except to fill vacancies, one-third of said board of directors shall be elected for three years, said election to be held at the annual meeting of the company, which shall be on the second Tuesday in January in each year: *Provided*, that any company now incorporated and doing business under this act may, at any time, change their mode of electing their board of directors, at an annual meeting, so as to be in conformity with this act. In

the election of the first board of directors each corporator shall be entitled to one vote. At every subsequent election, every person insured shall be entitled to as many votes as there are directors to be elected, and an equal additional number for each five hundred dollars (\$500) that he may be insured in the company, and may cast the same in person or by proxy, distributing them among the same or less number of directors to be elected, or accumulating them upon one candidate, as he may think fit: *Provided*, that any twelve members of any company now incorporated and doing business under this act, may, at any time, petition the secretary of the company to submit the question to the members thereof for or against abolishing proxy voting. Upon the receipt of such petition the secretary of the company shall give notice in writing to every member thereof, at least ten days before the election, that at the next annual meeting of the company the question will be submitted to them to vote for or against abolishing proxy voting, which vote shall be by ballot. If the majority of votes cast at such an election are in favor of abolishing proxy voting, then at all subsequent election [elections] all votes shall be cast in person.

APPROVED May 14, 1903.

JUSTICES AND CONSTABLES.

JUSTICES MAY EXCHANGE DUTIES IN CERTAIN EMERGENCIES.

§ 1. Amends section 21, article 5, act of 1895.

Approved May 13, 1903.

§ 21. Justice may hear cause at time
and place fixed for trial by
another justice—effect of
judgment rendered.

AN ACT to amend section twenty-one (21), article five (5) of an act entitled, "An act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section twenty-one (21), article five (5) of an act entitled, "An act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895, be, and the same is hereby, amended so as to read as follows:*

§ 21. When a justice of the peace, before whom an action is pending, is unable on account of sickness or other cause, to attend at the time and place fixed for the trial, any other justice of the peace in the town or precinct may, at his request, made in writing, attend at the time and place fixed for the trial, and hear the cause, or make any necessary orders instead, and in behalf of the justice calling him; and the judgment so entered shall have the same force and effect as if rendered by the justice before whom the action is pending.

APPROVED May 13, 1903.

JUSTICES OF CHICAGO.

§ 1. Enacting clause.

§ 2. Manner of selecting and appointing justices of the peace for the city of Chicago.

§ 3. Emergency.

Approved April 28, 1903.

AN ACT to amend section two (2) of article one (1) of an act entitled, "An act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895; as amended by an act approved and in force March 14, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section two (2) of article one (1) of an act entitled, "An act in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895; as amended by an act approved and in force March 14, 1899, be, and the same is hereby amended to read as follows:

ARTICLE I.

JUSTICES OF CHICAGO.

§ 2. It shall be the duty of the judges of the circuit, superior, probate and county courts of Cook county, a majority of the judges concurring therein, on or before the first day of June, in the year of our Lord 1895, and every four years thereafter, to recommend to the Governor ten fit and competent persons to fill the office of justice of the peace in the town of West Chicago; also ten fit and competent persons to fill the office of justice of the peace in the town of South Chicago; also five fit and competent persons to fill the office of justice of the peace in the town of North Chicago; also five fit and competent persons to fill the office of justice of the peace in the town of Lake View; also five fit and competent persons to fill the office of justice of the peace in the town of Jefferson; also five fit and competent persons to fill the office of justice of the peace in the town of Lake; also seven fit and competent persons to fill the office of justice of the peace in the town of Hyde Park; also three fit and competent persons to fill the office of justice of the peace in that part of the town of Calumet that is annexed to the city of Chicago; also one fit and competent person to fill the office of justice of the peace in that part of the town of Evanston annexed to the city of Chicago; also one fit and competent person to fill the office of justice of the peace for that part of Norwood Park which lies within the city of Chicago and the county of Cook, all in the city of Chicago and county of Cook, and the persons thus recommended, the Governor shall nominate; and by and with the advice and consent of the Senate (a majority of the Senators elected concurring by yeas and nays), appoint justices of the peace in and for each of said towns respectively, and in case the Governor rejects any person recommended, or the Senate refuses to confirm any person nominated, the Governor shall give notice of such rejection or refusal to the said judges, who shall, within ten

days after the receiving of such notice, recommend some other fit and competent person for such appointment. Such persons so recommended shall be electors in the town in and for which they are to be appointed such justices of the peace.

§ 3. WHEREAS, An emergency exists, this act shall be in force from and after its passage.

APPROVED April 28, 1903.

LAWS.

REPRINT OF SESSION LAWS.

Preamble.

Number of session laws required to be kept on file by Secretary of State—necessity for reprinting certain copies.

§ 1. Discretionary power given Secretary of State as to reprinting session laws—payment of expenses.

Approved May 14, 1903.

AN ACT entitled "*An act to authorize and provide for the reprint of session laws by the Secretary of State.*"

WHEREAS, Under the laws of this State, the Secretary of State is required to keep on file not fewer than ten copies of each publication of the session laws of the several sessions of the General Assembly of this State; and,

WHEREAS, There is not now in existence ten copies for each session of the General Assembly of this State, and it is impossible therefore to comply with the law in this regard, and a public necessity exists for a reprint of sufficient copies of the session laws of the several sessions of the General Assembly to supply the Secretary of State, and the several state departments and public libraries with full sets of session laws of the General Assembly of this State; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Secretary of State shall proceed at once to cause to be reprinted as many copies of the session laws of each session of the General Assembly as, in his discretion, shall be deemed necessary to supply the public demand for such session laws, and supply to each of the several departments and offices in this State entitled to receive from the State copies of the session laws of the several sessions of the General Assembly of this State, and the expense thereof shall be paid out of the general appropriation for printing and binding.

APPROVED May 14, 1903.

LIBRARIES.

LIBRARY BOARDS IN TOWNS AND VILLAGES.

§ 1. Amends section 11, act of 1872.

Approved May 13, 1903.

§ 11. Election of board—powers and duties—qualification of members.

AN ACT to amend section 11 of an act entitled, "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 11 of an act entitled, "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, be amended so as to read as follows:

§ 11. At the next regular election after any town, village or township shall have voted to establish a free public library, there shall be elected a library board of six directors, one-third for one year, one-third for two years, one-third for three years, and annually thereafter there shall be elected two directors, who shall hold their office for three years and until their successors are elected and qualified, which board shall have the same powers as are by this act conferred upon the board of directors of free public libraries in cities: *Provided*, that any person in said respective villages or townships authorized by law to vote at school elections, may be voted for, and shall be eligible to hold the said office of director.

APPROVED May 13, 1903.

PURCHASE OF SITES AND ERECTION OF BUILDINGS.

§ 1. Amends section 13, act of 1872.

§ 2. Emergency.

§ 13. Purchase of sites—erection of buildings—plans—cost paid by annual installments—bonds—approval of council—limit of tax.

Approved May 13, 1903.

AN ACT to amend section thirteen (13) of an act entitled "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, and amended by an act approved June 19, 1891, in force July 1, 1891, and as amended by an act approved and in force March 30, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirteen (13) of

an act entitled "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," be amended so as to read as follows:

§ 13. Whenever any board of directors of any public library organized under the provisions of the act of which this is an amendment, shall determine to erect a building to be used for their library, or to purchase a site for the same, or both, or to accumulate a fund for the erection of such building, or to pay for a library site, or both, they may do so as follows:

The directors shall cause a plan for such building to be prepared, and an estimate to be made of the cost, and, if site is to be provided for the same, they shall also cause an estimate to be made of the cost of such site; they may then determine the time or years over which they will spread the collection of the cost of such building, or site, or both, not exceeding twenty (20) years, and shall make a record of their said proceedings, and transmit a copy thereof to the city council for its approval. If the city council shall approve the action of the board it may, in its own discretion, by ordinance provide that bonds of the city be issued for the payment of the cost (so estimated as aforesaid) of the said building or site, or both, in which event the said ordinance shall also state the time or times when such bonds, and the interest thereon, shall become payable: *Provided*, that the whole of the principal of such bonds, and the interest thereon shall be payable within twenty (20) years: *Provided, further*, that the interest on such bonds shall not exceed the rate of five (5) per cent per annum; but the said interest may be made payable at such times (annually or semi-annually) as the said ordinance shall prescribe: *Provided, always*, that in case the city council shall provide for such payment by the issuance of bonds, it shall make provision at or before the issuance thereof, by ordinance, which shall be irrepealable, for the levy and collection of a direct annual tax upon all the taxable property within such city, sufficient to meet the principal and interest of said bonds as the same mature, which tax shall be in addition to that otherwise authorized to be levied and collected for corporate purposes. If however, the said council shall not provide that bonds of the city be issued as and for the purposes aforesaid, but shall otherwise approve the action of the said board, then the board shall divide the total cost of said building, or site, or both, into as many parts as they shall determine to spread the collection thereof, and shall certify the amount of one of said parts to the city council, each and every year during the time or terms over which they shall have determined to spread the collection of the cost of such building, or site or both. The city council, on receiving the said last mentioned certificate shall, in its next annual appropriation bill, include the amount so certified and shall, for the amount so certified, levy and collect a tax to pay the same, with the other general taxes of the city: *Provided*, the said levy shall not exceed (5) mills on the dollar in any one year, and shall not be levied oftener than for the number of

years into which the library board in those cases where bonds are not issued, as aforesaid, shall have divided the cost of said building, or site, or both; and when collected as last aforesaid the tax shall cease.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 13, 1903.

STATE HISTORICAL LIBRARY.

§ 1. Amends section 4, act of 1889.

§ 4. Powers and duties of trustees—
librarian's salary.

§ 5. [2] Emergency.

Approved May 15, 1903.

AN ACT to amend section four (4) of an act entitled "An act to establish the Illinois Historical Library, and to provide for its care and maintenance, and to make appropriations therefor," approved May 25, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four (4) of an act entitled "An act to establish the Illinois State Historical Library, and to provide for its care and maintenance, and to make appropriations therefor," be, and the same is hereby, amended as follows:

§ 4. The said trustees shall have power, and they are hereby required to make all necessary rules, regulations and by-laws not inconsistent with law, to carry into effect the purposes of this act, and to procure from time to time, as may be possible and practicable, at reasonable cost, all books, pamphlets, manuscripts, monographs, writings and other materials of historical interest and useful to the historian, bearing upon the political, physical, religious or social history of the State of Illinois from the earliest known period of time. They shall also have the power to select some person having the requisite qualifications as librarian, whose salary shall be twelve hundred dollars per annum.

§ 5 [2]. WHEREAS, An emergency exists, this act shall be in force and take effect from and after its passage.

APPROVED May 15, 1903.

STATE HISTORICAL LIBRARY AND HISTORICAL SOCIETY UNITED.

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| <p>§ 1. Amends act of 1889 by adding section 6, thereto.</p> <p>§ 6. State Historical Society made a department of State Historical Library.</p> | <p>Approved May 16, 1903.</p> |
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AN ACT to add a new section to an act entitled, "*An act to establish the Illinois State Historical Library and to provide for its care and maintenance, and to make appropriations therefor,*" approved May 25, 1889, and in force July 1, 1889.

WHEREAS, Said act among other things, contemplated that "there be collected and preserved in some permanent form, before it is too late to rescue from oblivion the memory of its earlier history and those who founded it, as well as of those who have been connected with its rise and progress in later days;" and,

WHEREAS, This latter feature of the preservation of the history of the State of Illinois can best be secured through an Illinois State Historical Society, with auxiliary branches organized in the various counties of the State; and,

WHEREAS, There is already such an Illinois State Historical Society duly organized under the laws of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be added to the act of May 25, 1889, entitled, "*An act to establish the Illinois Historical Library and to provide for its care and maintenance, and to make appropriations therefor,*" approved May 25, 1889, and in force July 1, 1889, an additional section to be numbered section 6, and which shall read as follows:

§ 6. That the Illinois State Historical Society be, and the same is hereby declared a department of the Illinois State Historical Library, and the board of trustees of the said Illinois State Historical Library is hereby authorized to pay for the necessary stationery, postage, and other like incidental expenses of the said Illinois State Historical Society, out of any fund the Legislature may appropriate to the said Illinois State Historical Library for such purposes; and also to pay the expenses of interviewing old settlers of the State of Illinois, examining county, church, school and the like records, at the discretion of the board of trustees of said Illinois State Historical Library, and the auditing of the accounts of which shall be subject to the approval of the Governor of the State of Illinois: *And, provided further,* that all such material shall be the property of the said Illinois State Historical Library, and shall be deposited among its archives for reference and safe keeping.

APPROVED May 16, 1903:

LIENS.

MECHANICS' LIENS—REMEDIAL ACT.

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| <p>§ 1. "Contractor" defined—lien upon real estate for material or labor furnished.</p> <p>§ 2. Liens for labor or material furnished by mistake.</p> <p>§ 3. Husband and wife,</p> <p>§ 4. Breach of contract by owner—recovery of material—other provisions.</p> <p>§ 5. Claims of sub-contractor—notice of to owner—owner's duty—contractor's liability—exceptions.</p> <p>§ 6. Time for completing contract.</p> <p>§ 7. Limitation as against third parties—claim for lien—proof of delivery sufficient.</p> <p>§ 8. Assigning liens or claims for liens.</p> <p>§ 9. Suit—how brought—joint suit—cross bill—dismissal—surprise—limitation.</p> <p>§ 10. Personal representatives—death of parties in interest.</p> <p>§ 11. "Parties in interest" defined—dismissal—notice.</p> <p>§ 12. Practice—powers of court—receivers.</p> <p>§ 13. Practice—answer—defense—counter claim.</p> <p>§ 14. Trials—delay—order for sale.</p> <p>§ 15. Preferences.</p> <p>§ 16. Incumbrances—<i>pro rata</i> benefits.</p> <p>§ 17. Costs—attorney fees.</p> <p>§ 18. Sales of estates—partial sales.</p> <p>§ 19. Proceeds of sale—application—preferences—deficiency and surplus.</p> <p>§ 20. Redemption.</p> <p>§ 21. "Sub-contractor" defined—preferences—limit of liability—abandonment of contract.</p> | <p>§ 22. Partner after contract—statement of sub-contractor—failure—penalty.</p> <p>§ 23. Lien against public funds—public improvements—liability and duty of official.</p> <p>§ 24. Notice by sub-contractor—agents, architects and superintendents to be notified—form of notice.</p> <p>§ 25. Notice to non-residents.</p> <p>§ 26. Preferential liens.</p> <p>§ 27. Owner's duty after notice—preferences.</p> <p>§ 28. Suits by sub-contractor—proceedings.</p> <p>§ 29. Judgment before justice—transcript—executions.</p> <p>§ 30. General settlement—procedure.</p> <p>§ 31. Failure to complete contract—owners liability to sub-contractor.</p> <p>§ 32. Wrongful payment of owner to contractor.</p> <p>§ 33. Limitation as to suit of sub-contractor.</p> <p>§ 34. General provisions.</p> <p>§ 35. Neglect—penalty.</p> <p>§ 36. Wrongful sale or removal of material—penalty.</p> <p>§ 37. Liens against water craft.</p> <p>§ 38. Filing claims—circuit clerk's duties—fees.</p> <p>§ 39. Construction of act.</p> <p>§ 40. Repeals act of 1895.</p> |
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Approved May 18, 1903.

AN ACT to revise the law in relation to mechanics' liens. To whom, what for, and when lien is given; who is a contractor; area covered by and extent of lien; when the lien attaches.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any person who shall by any contract or contracts, expressed or implied, or partly expressed and partly implied, with the owner of a lot or tract of land, or with one whom such owner has authorized or knowingly permitted

to contract for the improvement of, or to improve the same, furnish materials, fixtures, apparatus or machinery for the purpose of, or in the building, altering, repairing or ornamenting any house or other building, walk or sidewalk, whether such walk or sidewalk be on the land or bordering thereon, driveway, fence or improvement, or appurtenance thereto on such lot or tract of land, or connected therewith, and upon, over or under a sidewalk, street or alley adjoining; or fill, sod or excavate such lot or tract of land, or do landscape work thereon or therefor; or raise or lower any house thereon, or remove any house thereto, or perform services as an architect for any such purpose, or furnish or perform labor or services as superintendent, timekeeper, mechanic, laborer or otherwise, in the building, altering, repairing or ornamenting of the same; or furnish materials, fixtures, apparatus, machinery, labor or services on the order of his agent, architect or superintendent having charge of the improvements, building, altering, repairing or ornamenting the same, shall be known under this act as a contractor, and shall have a lien upon the whole of such lot or tract of land and upon the adjoining or adjacent lots or tracts of land of such owner constituting the same premises and occupied or used in connection with such lot or tract of land as a place of residence or business; and in case the contract relates to two or more buildings, on two or more lots or tracts of land, upon all of such lots and tracts of land and improvements thereon, for the amount due to him for such material, fixtures, apparatus, machinery, services or labor, and interest from the date the same is due. This lien shall extend to an estate in fee, for life, for years, or any other estate, or any right of redemption, or other interest which such owner may have in the lot or tract of land at the time of making such contract or may subsequently acquire therein, and shall be superior to any right of dower of husband or wife in said premises: *Provided*, the owner of such dower interest had knowledge of such improvement and did not give written notice of his or her objection to such improvement before the making thereof; nor shall the taking of additional security by the contractor or sub-contractor be a waiver of any right of lien which he may have by virtue of this act, unless made a waiver by express agreement of the parties; and this lien shall attach as of the date of the contract.

§ 2. LIENS FOR WORK OR MATERIALS BY MISTAKE PUT UPON LAND OTHER THAN THE CONTRACTING PARTIES.] Any person furnishing services, labor or material for the erection of a building, or structure, or improvement, by mistake, upon land owned by another than the party contracting as owner, shall have a lien for such services, labor or material upon such building, or structure or improvement, and the court, in the enforcement of such lien, shall order and direct such building, structure or improvement to be separately sold under its decree, and the purchaser may remove the same within such reasonable time as the court may fix.

§ 3. LIENS FOR WORK OR MATERIALS UNDER CONTRACT WITH HUSBAND ON LAND OF WIFE.] If any such services or labor are

performed upon or materials are furnished for lands belonging to any married woman, with her knowledge and not against her protest in writing, as provided in section 1 of this act, in pursuance of a contract with the husband of such married woman, the person furnishing such labor or materials shall have a lien upon such property, the same as if such contract had been made with [the] married woman, and in case the title to such lands upon which improvements are made is held by husband and wife jointly, the lien given by this act shall attach to such lands and improvements, if the improvements be made in pursuance of a contract with both of them, or in pursuance of a contract with either of them, and in all such cases no claim of homestead right set up by a husband or wife shall defeat the lien given by this act.

§ 4. BREACH OF CONTRACT BY OWNER — RECOVERY FOR MATERIAL — PARTIAL PERFORMANCE — QUANTUM MERUIT — RIGHT TO RECLAIM UNUSED MATERIAL.] When the owner of the land shall fail to pay the contractor moneys justly due him under the contract at the time when the same should be paid, or fails to perform his part of the contract in any other manner, the contractor may discontinue work, and the contractor shall not be held liable for any delay on his part during the period of, or caused by, such breach of contract on the part of the owner; and if, after such breach for the period of ten days, the owner shall fail to comply with his contract, the contractor may abandon the work, and in such a case the contractor shall be entitled to enforce his lien for the value of what has been done, and the court shall adjust his claim and allow him a lien accordingly. In such cases all persons furnishing material which has not been incorporated in the improvement shall have the right to take possession of and remove the same if he so elects.

§ 5. CONTRACTOR TO NOTIFY OWNER OF SUB-CONTRACTS AND AMOUNT OF THEIR CLAIMS—OWNER'S DUTY WITH REGARD THERETO AND RIGHTS IN CASE OF DEFAULT—CONTRACTOR'S LIABILITY FOR FAILURE TO GIVE STATEMENT—CONTRACTORS TO WHOM THIS SECTION DOES NOT APPLY.] It shall be the duty of the contractor to give to the owner, and the duty of the owner to require of the contractor, before the owner or his agent, architect or superintendent, shall pay or cause to be paid to said contractor or to his order any moneys or other consideration, due or to become due such contractor, or make or cause to be made to such contractor any advancement of any moneys or any other consideration, a statement in writing, under oath or verified by affidavit, of the names of all parties furnishing materials and labor, and of the amounts due or to become due each. Merchants and dealers in materials only shall not be required to make statements herein provided for.

§ 6. TIME FOR COMPLETION OF CONTRACT.] In no event shall it be necessary to fix or stipulate in any contract a time for the completion or a time for payment in order to obtain a lien under this act: *Provided*, that the work is done or material furnished within three years from the commencement of said work or the commencement of furnishing said materials.

§ 7. LIMITATION AS AGAINST THIRD PARTIES—CLAIM FOR LIEN—WHAT SHALL CONSIST OF—WHEN CLAIM MAY BE FILED AND WHEN AMENDED—AS TO ERRORS IN—PROOF OF DELIVERY OF MATERIAL, NOT USED, SUFFICIENT—DELIVERY OF MATERIAL AT ONE BUILDING GOOD FOR ALL BUILDINGS.] No contractor shall be allowed to enforce such lien against or to the prejudice of any other creditor or incumbrancer or purchaser, unless within four months after completion, or if extra or additional work is done or material is delivered therefor within four months after the completion of such extra or additional work or the final delivery of such extra or additional material, he shall either bring suit to enforce his lien therefor or shall file with the clerk of the circuit court in the county in which the building, erection or improvement to be charged with the lien is situated, a claim for lien, verified by the affidavit of himself, or his agent or employe, which shall consist of a brief statement of the contract, the balance due after allowing all credits, and a sufficiently correct description of the lot, lots or tracts of land to identify the same. Such claim for lien may be filed at any time after the contract is made, and as to the owner may be filed at any time after the contract is made and within two years after the completion of said contract, or the completion of any extra work or the furnishing of any extra material thereunder, and as to such owner may be amended at any time before the final decree. No such lien shall be defeated to the proper amount thereof because of an error or overcharging on the part of any person claiming a lien therefor under this act, unless it shall be shown that such error or overcharge is made with intent to defraud; nor shall any such lien for material be defeated because of lack of proof that the material after the delivery thereof, actually entered into the construction of such building or improvement, although it be shown that such material was not actually used in the construction of such building or improvement: *Provided*, it is shown that such material was delivered either to such owner or his agent for such building or improvement to be used in such building or improvement, or at the place where said building or improvement was being constructed, for the purpose of being used in construction: *And, provided, further*, that in case of the construction of a number of buildings under contract between the same parties, it shall be sufficient in order to establish such lien for material, if it be shown that such material was in good faith delivered at one of the said buildings for the purpose of being used in the construction of any one or all of such buildings, or delivered to the owner or his agent for such buildings, to be used therein; and such lien for such material shall attach to all of said buildings, together with the land upon which the same are being constructed, the same as in a single building or improvement: *And, provided, further*, that in the event that the contract relates to two or more buildings on two or more lots or tracts of land, then all of said buildings and lots or tracts of land may be included in one statement of claim for a lien.

§ 8. ASSIGNABILITY OF LIENS OR CLAIMS FOR LIEN—RIGHTS OF ASSIGNEE.] All liens or claims for lien which may arise or accrue under the terms of this act shall be assignable, and proceedings to enforce such liens or claims for lien may be maintained by and in the name of the assignee, who shall have as full and complete power to enforce the same as if such proceedings were taken under the provisions of this act by and in the name of the lien claimant.

§ 9. WHEN, HOW AND IN WHAT COURT SUIT MAY BE BROUGHT—TWO OR MORE LIEN HOLDERS MAY JOIN IN BRINGING SUIT—ANSWERS STAND AS CROSS-BILLS—ORIGINAL BILL CANNOT BE DISMISSED WITHOUT CONSENT OF PARTIES—LIEN CLAIMANTS MAY CONTEST EACH OTHER'S CLAIMS WITHOUT FORMAL ISSUES OF RECORD—RIGHTS OF IN CASE OF SURPRISE—LIMITATION.] If payment shall not be made to the contractor having a lien by virtue of this act of any amount due when the same becomes due, then such contractor may bring suit to enforce his lien by bill or petition in any court of competent chancery jurisdiction in the county where the improvement is located, and in the event that the contract relates to two or more buildings or two or more lots or tracts of land, then all of said buildings and lots or tracts of land may be included in one bill or petition. Any two or more persons having liens on the same property may join in bringing such suit, setting forth their respective rights in their bill or petition; all lien claimants not made parties thereto, may, upon application, become defendants and enforce their liens by answer to the bill or petition in the nature of an intervening petition, and the same shall be taken as a cross-bill against all the parties to such suit; and the said bill or petition shall not thereafter be dismissed as to any such lien claimant, or as to the owner or owners of the premises without the consent of such lien claimant. The complainant or petitioner, and all defendants to such bill or petition may contest each other's right without any formal issue of record made up between them other than that [shown] upon the original bill or petition, as well with respect to the amount due as to the right to the benefit of the lien claimed: *Provided*, that if by such contest by co-defendants any lien claimants be taken by surprise, the court may, in its discretion, as to such claim grant a continuance. The court may render judgment against any party summoned and failing to appear, as in other cases of default. Such suit shall be commenced or answer filed within two years after the completion of the contract, or completion of the extra or additional work, or furnishing of extra or additional material thereunder.

§ 10. PERSONAL REPRESENTATIVES—DEATH OF PARTIES IN INTEREST.] Suits may be instituted under the provisions of this act in favor of administrators or executors, and may be maintained against the representatives in the interest of those against whom the cause of action accrued, and in suits instituted under the provisions of this act, the representatives of any party who may die pending the suit shall be made parties.

§ 11. WHO ARE PARTIES IN INTEREST—HOW AND WHEN MADE—OR MAY BECOME PARTIES TO SUIT—PUBLICATION, SERVICE OF PROCESS ON NON-RESIDENT—CLAIMS NOT DUE, ETC.—PLEADING, REQUISITES OF BILL OR PETITION—DILIGENCE REQUIRED IN PROSECUTING CLAIM—WHEN AND HOW PARTY BRINGING SUIT MAY DISMISS SAME.] The bill or petition shall contain a brief statement of the contract or contracts on which it is founded, the dates when made, and when completed, if not completed, why, and it shall also set forth the amount due and unpaid, a description of the premises which are subject to the lien, and such other facts as may be necessary to a full understanding of the rights of the parties. Where plans and specifications are by reference made a part of the contract, it shall not be necessary to set the same out in the pleadings or as exhibits, but the same may be produced on the trial of the suit. The complainant or petitioner shall make all parties interested, of whose interest he is notified or has knowledge, parties defendant, and summons shall issue and service thereof be had as in suits in chancery; and when any defendant resides or has gone out of the State, or on inquiry can not be found, or is concealed within this State, so that process can not be served on him, the complainant or petitioner shall cause a notice to be given to him in like manner and upon the same conditions as is provided in suits in chancery, and his failure to so act with regard to summons or notice shall be ground for judgment or decree against him as upon the merits. The same rule shall prevail with cross-petitioners with regard to any person of whose interest they have knowledge, and who are not already parties to the suit or action. Parties in interest, within the meaning of this act, shall include persons entitled to liens thereunder, whose claims are not, as well as are, due at the time of the commencement of suit, and such claim shall be allowed subject to a reduction of interest from the date of judgment to the time the claim is due; also all persons who may have any legal or equitable claim to the whole or any part of the premises upon which a lien may be attempted to be enforced under the provisions thereof, or who are interested in the subject matter of the suit. Any such persons may, on application to the court wherein the suit is pending, be made or become parties at any time before final judgment. No action or suit under the provisions of this act shall be voluntarily dismissed by the party bringing the same without due notice to all parties before the court and lease of court upon good cause shown and upon terms named by the court.

§ 12. PRACTICE—POWERS OF COURT—WHEN RECEIVERS MAY BE APPOINTED.] The court shall permit amendments to any part of the pleadings, and may issue process, make all orders requiring parties to appear, and requiring notice to be given, that are or may be authorized in proceedings in chancery, and shall have the same power and jurisdiction of the parties and subject matter, and the rules of practice and proceedings in such cases shall be the same as in other cases in chancery, except as is otherwise provided in this act. The court shall have power to appoint receivers for property on which liens are sought to be enforced in the same manner for the same

causes and for the same purposes as in cases of foreclosure of mortgages, as well as to complete any unfinished building where the same is deemed to be to the best interest of all the parties interested.

§ 13. PRACTICE — ANSWER — DEFENSE — RIGHT TO RECOVER ON COUNTER CLAIM.] Defendant shall answer the bill or petition under oath, unless the oath is waived by the complainant or petitioner. The owner shall be entitled to make any defense against the contractor by way of set-off, recoupment or counter claim that he could in any action at law, and shall be entitled to the same right of recovery on proof of such in excess of the claim of the contractor against the contractor only, but for matters not growing out of the contract such recovery shall be without prejudice to the rights of the sub-contractors thereunder for payment of the contract price or fund; and in event that the court shall find, in any proceeding in chancery, that no right to a lien exists, the contractor shall be entitled to recover against the owner as at law, and the court shall render judgment as at law for the amount which the contractor is entitled to, together with costs in the discretion of the court. In any proceedings to enforce a lien, it shall only be necessary for all persons seeking a lien on account of wages due for labor to file in such proceedings an affidavit giving the amount due, between what dates the same was performed and the kind of labor performed, and the court shall direct the amount due for wages as therein specified to be paid within a short day to be fixed by the court, unless within ten days after the filing of said claim for wages the amount claimed is contested by the owner or some other party to the suit, and in order to contest the amount due for wages it shall be necessary for the party making such contest to file an affidavit in which he shall state the defense he has to the allowance of such claim, and the court shall proceed at once to hear such evidence as the parties may adduce, and determine the merits as to the allowance of such claim for wages, and in the event that the allowance for wages is not paid within the time fixed by the court, then the court shall order the premises sold to pay such amount in such manner as the court shall direct.

§ 14. TRIALS — PARTIES READY NOT TO BE DELAYED — WHEN COURT MAY DELAY ORDER FOR SALE OR DISTRIBUTION.] In no case shall the want of preparation for trial of one claim delay the trial in respect to others, but trial shall be had upon issues between such parties as are prepared without references to issues between other parties; and when one creditor shall have obtained a decree or judgment for the amount due, the court may order a sale of the premises on which the lien operates, or a part thereof, so as to satisfy the decree or judgment: *Provided*, that the court may, for good cause shown, delay making any order for sale or distribution until the rights of all parties in interest are ascertained and settled by the court.

§ 15. PREFERENCE TO LABORERS—NO PREFERENCE TO FIRST CONTRACTOR.] Upon all questions arising between different contractors

having liens under this act, no preference shall be given to him whose contract was made first, except the claim of any person for wages by him personally performed, shall be a preferred lien.

§ 16. INCUMBRANCES—APPORTIONMENT—ON IMPROVEMENTS MADE AFTER RECORD OF INCUMBRANCE—LIEN HOLDERS HAVE PRO RATA BENEFIT IN WHAT OWNER PAYS FOR—FRAUDULENT INCUMBRANCES—DISPOSITION OF.] No incumbrance upon land, created before or after the making of the contract under the provisions of this act, shall operate upon the building erected, or materials furnished until a lien in favor of the persons having done work or furnished material shall have been satisfied, and upon questions arising between incumbrancers and lien creditors, all previous incumbrances shall be preferred to the extent of the value of the land at the time of making of the contract, and the lien creditor shall be preferred to the value of the improvements erected on said premises, and the court shall ascertain by jury or otherwise, as the case may require, what proportion of the proceeds of any sale shall be paid to the several parties in interest. All incumbrances, whether by mortgage, judgment or otherwise, charged and shown to be fraudulent, in respect to creditors, may be set aside by the court, and the premises freed and discharged from such fraudulent incumbrance.

§ 17. COSTS—HOW TAXES [TAXED]—ATTORNEY'S FEES.] The costs of proceedings, as between all parties to the suit, shall be taxed equitably against the losing parties, and where taxed against more than one party, shall be so taxed against all in favor of the proper party but equitably as between themselves; and the costs, as between creditors aforesaid in contests relative to each other's claims, shall be subject to the order of the court, and the same rule shall prevail in respect to costs growing out of the proceedings against and between incumbrances. In all cases where liens are enforced, the court shall, in its discretion, order a reasonable attorney's fee taxed as a part of the costs in favor of the lien creditor.

§ 18. WHAT ESTATE TO BE SOLD—MANNER OF MAKING SALES, WHEN PART MAY BE SOLD.] Whatever right or estate such owner had in the land at the time of making the contract may be sold in the same manner as other sales of real estate are made under decrees in chancery. If any part of the premises can be separated from the residue, and sold without damage to the whole, and if the value thereof is sufficient to satisfy all the claims proved in the cause, the court may order a sale of that part.

§ 19. PROCEEDS OF SALE—APPLICATION OF PRO RATA—LABOR CLAIMS PREFERRED—DEFICIENCY DECREES—EXCESS, TO WHOM PAID.] The court shall ascertain the amount due each lien creditor, and shall direct the application of the proceeds of sale to be made to each in proportion to their several amounts, according to the provisions of this act, but the claims of all persons for labor as provided in section fifteen (15) shall be first paid. If, upon making sale under this act of any or all premises, the proceeds of such sale shall not be sufficient to pay all claims of all parties, according to their rights

the decree shall be credited by the amount of said sale, and execution may issue in favor of any creditor whose claims is [are] not satisfied for the balance due as upon a deficiency decree in the foreclosure of a mortgage in chancery, and such deficiency decree shall be a lien upon all real estate and other property of the party against whom it is entered to the same extent and under the same limitations as a judgment at law; and in case of excess of sales over the amount of the decree, such excess be paid to the owner of the land, or to the person who may be entitled to the same, under the direction of the court.

§ 20. REDEMPTION.] Upon all sales under this act, the right of redemption shall exist in favor of the same persons, and may be made in the same manner as is or may be provided for redemption of real estate from sales under judgments and executions at law.

§ 21. SUB-CONTRACTORS — LIENS OF SUB-CONTRACTORS — WHO ARE — EXTENT OF THEIR LIENS SUPERIOR TO CREDITORS OR CONTRACTORS ON MONEY DUE CONTRACTORS — LIMIT OF OWNER'S LIABILITY — OWNER LIABLE FOR SUB-CONTRACTS PERFORMED AFTER NOTICE THEREOF — RIGHTS OF, IN CASE CONTRACTOR DEFAULT — MAY COMPLETE, IF CONTRACTOR ABANDONS.] Every mechanic, workman or other person who shall furnish any materials, apparatus, machinery or fixtures, or furnish or perform services or labor for the contractor shall be known under this act as a sub-contractor, and shall have a lien for the value thereof, with interest on such amount from the date the same is due, from the same time, on the same property as provided for the contractor, and also, as against the creditors and assignees, and personal and legal representatives of the contractor, on the material, fixtures, apparatus or machinery furnished, and on the moneys or other considerations due or to become due from the owner under the original contract, whether or not the original contractor could have obtained a lien or was by contract or conduct divested or deprived of a right to obtain a lien. In no case, except as hereinafter provided, shall the owner be compelled to pay a greater sum for or on account of the completion of such house, building or other improvements than the price or sum stipulated in said original contract or agreement, unless payment be made to the contractor or to his order, in violation of the rights and interests of the persons intended to be benefited by this act: *Provided*, if it shall appear to the court that the owner and contractor fraudulently, and for the purpose of defrauding sub-contractors, fixed an unreasonably low price in their original contract for the erection or repairing of such building, then the court shall ascertain how much of a difference exists between a fair price for labor and material used in said building or other improvements, and the sum named in said original contract, and said difference shall be considered a part of the contract and be subject to a lien. But where the contractor's statement, made as provided in section five (5), shows the amount to be paid to the sub-contractor, or party furnishing material;

or the sub-contractor's statement, made pursuant to section twenty-two (22), shows the amount to become due for material; or notice is given to the owner, as provided in section twenty-four (24), and twenty-five (25), and thereafter such sub-contract shall be performed, or material to the value of the amount named in such statements or notice, shall be prepared for use and delivery, or delivered without written protest on the part of the owner previous to such performance or delivery, or preparation for delivery, then, and in any of such cases such sub-contractor or party furnishing or preparing material, regardless of the price named in the original contract, shall have a lien therefor to the extent of the amount named in such statements or notice: Also, in case of default or abandonment by the contractor, the sub-contractor or party furnishing material, shall have and may enforce his lien to the same extent and in the same manner that the contractor may under conditions that arise as provided for in section four of this act, and shall have and may exercise the same rights as are therein provided for the contractor.

§ 22. WHERE PARTNERS TAKEN IN AFTER CONTRACT — LIEN FOR MATERIAL FURNISHED TO SUB-CONTRACTOR — LIEN OF SUB-CONTRACTOR — STATEMENT OF SUB-CONTRACTOR TO OWNER OR CONTRACTOR — PENALTY FOR FAILURE TO GIVE STATEMENT.] Whenever after a contract has been made, the contractor shall associate one or more persons as partners or joint contractors, in carrying out the same, or any part thereof, the lien for materials or labor furnished by a sub-contractor to such contractor and his partners or associates, as originally agreed upon, shall continue the same as if the sub-contract had been made with all of said partners. When the contractor shall sub-let his contract or a specific portion thereof to a sub-contractor, the party furnishing material to or performing labor for such sub-contractor shall have a lien therefor, and may enforce his lien in the same manner as is herein provided for the enforcement of liens by sub-contractors. Any sub-contractor shall, as often as requested in writing by the owner, or contractor, or the agent of either, make out and give to such owner, contractor or agent, a statement of the persons furnishing material and labor, giving their names and how much if anything is due or to become due to each of them, and which statement shall be made under oath if required. If any sub-contractor shall fail to furnish such statement within five (5) days after such demand, he shall forfeit to such owner or contractor the sum of fifty (50) dollars for every offense, which may be recovered in an action of debt before a justice of the peace, and shall have no right of action against either owner or contractor until he shall furnish such statement, and the lien of such sub-contractor shall be subject to the liens of all other creditors.

§ 23. LIEN AGAINST FUND DUE OR TO BECOME DUE — CONTRACTORS FOR PUBLIC IMPROVEMENTS, NOTICE — DUTY AND LIABILITY OF OFFICER NOTIFIED.] Any person who shall furnish material, apparatus, fixtures, machinery or labor to any contractor for a public improvement in this State, shall have a lien on the money, bonds or

warrants due or to become due such contractor for such improvement: *Provided*, such person shall, before payment or delivery thereof is made to such contractor, notify the officials of the State, county, township, city or municipality whose duty it is to pay such contractor of his claim by a written notice. It shall be the duty of such official so notified, to withhold a sufficient amount to pay such claim until it is admitted, or by law established, and thereupon to pay the amount thereof to such person, and such payment shall be a credit on the contract price to be paid such contractor. Any officer violating the duty hereby imposed upon him, shall be liable on his official bond to the person serving such notice for the damages resulting from such violation, which may be recovered in an action at law in any court of competent jurisdiction. There shall be no preference between the persons serving such notice, but all shall be paid *pro rata* in proportion to the amount due under their respective contracts.

§ 24. NOTICE TO THE OWNER BY SUB-CONTRACTOR—LIMITATION FOR SERVICE OF—MAY BE SERVED ON OWNER, AGENT, ARCHITECT OR SUPERINTENDENT IN CHARGE—DUTIES AND LIABILITIES OF AGENTS, ARCHITECT AND SUPERINTENDENT NOTIFIED—EXCUSE OF NOTICE—SUB-CONTRACTORS PROTECTED TO AMOUNT NAMED IN—FORM OF.] Sub-contractors, or party furnishing labor or materials, may at any time after making his contract with the contractor, and shall within sixty (60) days after the completion thereof, or, if extra or additional work or material is delivered thereafter, within sixty (60) days after the date of completion of such extra or additional work or final delivery of such extra or additional material, cause a written notice of his claim and the amount due or to become due thereunder, to be personally served on the owner or his agent or architect, or the superintendent having charge of the building or improvement: *Provided*, such notice shall not be necessary when the sworn statement of the contractor or sub-contractor provided for herein shall serve to give the owner notice of the amount due and to whom due, but where such statement is incorrect as to the amount, the sub-contractor or material man named shall be protected to the extent of the amount named therein as due or to become due to him.

The form of such notice may be as follows: 'To (name of owner): You are hereby notified that I have been employed by (the name of contractor) to (state here what was the contract or what was done, or to be done, or what the claim is for) under his contract with you, on your property at (here give substantial description of the property) and that there was due to me, or is to become due (as the case may be) therefor, the sum of dollars.

Dated at....., this....day of....A. D.....

(Signature).....

§ 25. NOTICE TO NON-RESIDENT OWNER BY FILING CLAIM WITH CIRCUIT [COURT]. WHAT CLAIM SHALL CONSIST OF—WHEN ITEMIZED ACCOUNT NOT NECESSARY.] In all cases where the owner, agent, architect or superintendent cannot, upon reasonable diligence, be found in the county in which said improvement is made, or shall not reside therein,

the sub-contractor or person furnishing materials, fixtures, apparatus, machinery, labor or services may give notice by filing in the office of the clerk of the circuit court against the person making the contract and the owner a claim for lien verified by the affidavit of himself, agent or employé which shall consist of a brief statement of his contract or demand, and the balance due after allowing all credits, and a sufficient correct description of the lot, lots or tract of land to identify the same. An itemized account shall not be necessary.

§ 26. LIEN OF LABORERS PREFERENCES—LIMITATION AS TO LABORER'S NOTICE.] The claim of any person for wages as a laborer under section fifteen, twenty-one and twenty-two of this act shall be a preferred lien.

§ 27. OWNER'S DUTY TO RETAIN AND PAY MONEY AFTER NOTICE—PREFERENCE TO LABORERS—MANNER IN WHICH HE SHALL MAKE PAYMENT—LIABILITY OF OWNER.] When the owner or his agent is notified as provided in this act, he shall retain from any money due or to become due the contractor, an amount sufficient to pay all demands that are or will become due such sub-contractor, tradesman, materialmen, mechanic, or workman of whose claim he is notified, and shall pay over the same to the parties entitled thereto.

Such payments shall be as follows:

First—All claims for wages shall be paid in full.

Second—The claims of tradesmen, materialmen and sub-contractors, who are entitled to liens, *pro rata*, in proportion to the amount due them respectively. All payments made as directed shall, as between such owner and contractor, be considered the same, as if paid to such contractor. Any payment made by the owner to the contractor after such notice, without retaining sufficient money to pay such claims, shall be considered illegal and made in violation of the rights of the laborers and sub-contractors, and the rights of such laborers and sub-contractors to a lien shall not be affected thereby, but the owner shall not be held liable to any laborer and sub-contractor or other person whose name is omitted from the statement provided for in sections five (5) and twenty-two of this act, nor for any larger amount than the sum therein named as due such person (provided such omission is not made with the knowledge or collusion of the owner), unless previous thereto or to his payment to his contractor, he shall be notified, as herein provided, by such person of their claim and the true amount thereof.

Third—The balance, if any, to the contractor.

§ 28. SUITS TO ENFORCE LIEN BY SUB-CONTRACTORS—WHEN CAN BE BROUGHT, PLEADINGS, ACTION AT LAW AGAINST OWNER AND CONTRACTOR—PROCEEDINGS, EXTENT OF OWNER'S LIABILITY.] If any money due to the laborers or sub-contractor be not paid within ten (10) days after his notice is served as provided in sections five (5), twenty-four (24), twenty-five (25) and twenty-seven (27), then such

person may either file his petition and enforce his lien as hereinbefore provided for the contractor in sections nine (9) to twenty (20) inclusive, of this act, except as to the time within which suit shall be brought or he may sue the owner and contractor jointly for the amount due him in any court having jurisdiction of the amount claimed to be due, and a personal judgment may be rendered therein, as in other cases. In such actions at law, as in suits to enforce the lien, the owner shall be liable to the plaintiff for no more than the *pro rata* share that such person would be entitled to with other sub-contractors out of the funds due to the contractor from the owner under the contract between them, except as hereinbefore provided for laborers, and such action at law shall be maintain [maintained] against the owner only in case the plaintiff establishes his right to the lien. All suits and actions by sub-contractors shall be against both contractor and owner jointly, and no decree or judgment shall be rendered therein, until both are duly brought before the court by process of publication, and in all courts including actions before a justice of the peace and police magistrates, such process may be served and publication made as to all persons except the owners as in suits in chancery. All such judgments, where the lien is established shall be against both jointly, but shall be enforced against the owner only to the extent that he is liable under his contract as by this act provided, and shall recite the date from which the lien thereof attached according to the provisions of sections one (1) to twenty (20) of this act, but this shall not preclude a judgment against the contractor, personally, where the lien is defeated.

§ 29. JUDGMENT BEFORE JUSTICE OF THE PEACE—WHEN TRANSCRIPT OF MAY BE FILED—EXECUTION THEREON—LIENS THEREOF.] If the execution issued on a judgment obtained before a justice of the peace or police magistrate shall be returned not satisfied, a transcript of such judgment may be taken to the circuit court and spread upon the records thereof, and execution issued thereon as in other cases except that the lien of the same shall be preserved as a preferred lien on the property improved from the date recited in the judgment, and enforced thereon the same as if a decree had been rendered by the circuit court in a suit to enforce such lien under the provisions of this act.

§ 30. PROCEEDINGS FOR GENERAL SETTLEMENT—INTERPLEADER—HOW LIENS AND CLAIMS CUT OFF AND JUDGMENTS THEREON STAYED IN SUCH PROCEEDINGS.] If there are several liens under sections twenty-one (21) and twenty-two (22) upon the same premises, and the owner or any person having such a lien shall fear that there is not a sufficient amount coming to the contractor to pay all such liens, such owner or any one or more persons having such lien may file his or their bill or petition in the circuit court of the proper county, stating such fact and such other facts as may be sufficient to a full understanding of the rights of the parties. The contractor and all persons having liens upon or who are interested in the premises, so far as the same are known to or can be ascertained by the claimant or petitioner upon diligent inquiry, shall be made parties.

Upon the hearing the court shall find the amount coming from the owner to the contractor, and the amount due to each of the persons having liens, and in case the amount found to be coming to the contractor shall be insufficient to discharge all the liens in full, the amount so found in favor of the contractor shall be divided between the persons entitled to such liens *pro rata* after the payment of all claims for wages in proportion to the amounts so found to be due them respectively. If the amount so found to be coming to the contractor shall be sufficient to pay the liens in full, the same shall be so ordered. The premises may be sold as in other cases under this act. The parties to such suit shall prosecute the same under like requirements as are directed in section eleven (11) of this act, and all persons who shall be duly notified of such proceedings and who shall fail to prove their claims, whether the same be in judgment against the owner or not, shall forever lose the benefit of and be precluded from their liens and all claims against the owner. Upon the filing of such bill or petition the court may, on the motion of any person interested, and shall, upon final decree, stay further proceedings upon any suit against the owner on account of such liens, and costs in such cases shall be adjusted as provided for in section seventeen (17).

§ 31. FAILURE TO COMPLETE CONTRACT BY CONTRACTOR — REQUISITES AND MANNER OF SUB-CONTRACTOR'S SUIT IN CASE OF—OWNER'S LIABILITY IN CASE OF.] Should the contractor, for any cause, fail to complete his contract, any person entitled to a lien as aforesaid may file his petition in any court of record against the owner and contractor, setting forth the nature of his claim, the amount due, as near as may be, and the names of the parties employed on such house or other improvement subject to liens; and a notice of such suit shall be served on the persons therein named, and such as shall appear shall have their claim adjudicated. The premises may be sold as in other cases under this act. The parties to such suit shall prosecute the same under like requirements as are directed in section eleven (11) of this act.

§ 32. PAYMENT OF OWNER TO CONTRACTOR — WHEN WRONGFUL.] No payments to the contractor or to his order of any money or other considerations due or to become due to the contractor shall be regarded as rightfully made, as against the sub-contractor, laborer, or party furnishing labor or materials, if made by the owner without exercising and enforcing the rights and powers conferred upon him in sections five (5) and twenty-two [(22)] of this act.

§ 33. LIMITATION AS TO SUIT OF SUB-CONTRACTORS TO ENFORCE LIEN.] Petition shall be filed or suit commenced to enforce the lien created by sections twenty-one (21) and twenty-two (22) of this act within four months after the time that the final payment is due the sub-contractor, laborer or party furnishing material.

§ 34. GENERAL PROVISIONS—SUIT TO BE COMMENCED OR ANSWER FILED BY LIEN CLAIMANTS, AND WITHIN THIRTY (30) DAYS ON DEMAND OF OWNER, LIENER OR INTERESTED PARTY.] Upon written demand of the owner, liener, or any person interested in the real estate, or their agent or attorney, served on the person claiming the lien, or his agent or attorney, requiring suit to be commenced to enforce the lien, or answer to be filed in a pending suit, suit shall be commenced or answer filed within thirty days thereafter, or the lien shall be forfeited, and same released if a claim for a lien has been filed with the clerk of the circuit court.

§ 35. NEGLECT TO SATISFY LIEN PAID OR TO RELEASE WHERE NOT SUED ON TIME — PENALTY.] Whenever a claim for lien has been filed with the clerk of the circuit court, either by the contractor or sub-contractor, and is afterward paid, with cost of filing same, or where there is a failure to institute suit to enforce the same after demand, as provided in the preceding section, within the time by this act limited, the person filing the same or some one by him duly authorized in writing so to do shall acknowledge satisfaction or release thereof, in the proper book in such office, in writing, on written demand of the owner, and, on neglect to do so for ten days after such written demand, he shall forfeit to the owner the sum of twenty-five (25) dollars, which may be recovered in an action of debt before a justice of the peace.

§ 36. PENALTY FOR WRONGFUL SALE, USE OR REMOVAL OF MATERIALS.] Any owner, contractor, sub-contractor or other person who shall purchase materials on credit and represent at the time of purchase that the same are to be used in a designated building or buildings, or other improvement, and shall thereafter sell, use or cause to be used the said materials in the construction of, or remove the same to any building or improvement other than that designated, or dispose of the same for any purpose, without the written consent of the person of whom the materials were purchased, with intent to defraud such person, shall be deemed guilty of a misdemeanor, and, on conviction shall be punished by a fine not exceeding five hundred dollars (\$500), or confined in the county jail not exceeding one year, or both so fined and imprisoned.

§ 37. LIENS AGAINST BOATS, BARGES AND WATER CRAFT.] Any architect, contractor, sub-contractor, materialman, or other person furnishing services, labor or material for the purpose of or in constructing, building, altering, repairing or ornamenting a boat, barge or other water craft, shall have a lien on such boat, barge or other water craft for the value of such services, labor or material in the same manner as in this act provided for services, labor or material furnished by such parties for the purpose of building, altering, repairing or ornamenting a house or other building. And such lien may be established and enforced in the same manner as liens are established and enforced under this act, and the parties shall be held to the same obligations, duties and liabilities as in case of a contract for building, altering, repairing or ornamenting a house or other building.

§ 38. CIRCUIT COURT CLERK'S DUTIES WITH REGARD TO CLAIMS FILED; ABSTRACT FEE.] When claims for lien are filed pursuant to the provisions of sections seven (7) and twenty-five (25), the clerk of the circuit court shall endorse thereon the date of filing, and make an abstract thereof in a book kept for that purpose and properly indexed, containing the name of the person filing the lien, the amount of the lien, the date of filing, the name of the person against whom the lien is filed, and a description of the property charged with the lien for which the person filing the lien shall pay one dollar (\$1) to the clerk.

§ 39. This act is and shall be liberally construed as a remedial act.

§ 40. An act entitled, "An act to revise the law in relation to mechanic's liens," approved and in force June 26, 1895; and all other acts and parts of acts inconsistent with this act, are hereby repealed: *Provided*, that this section shall not be construed as to effect any rights existing or actions pending at the time this act shall take effect.

APPROVED May 18, 1903.

LUNATICS.

COMMITMENT AND DETENTION.

§ 1. Amends sections 5, 8 and 12, act of 1893.

§ 5. Inquests by jury or commission.

§ 8. Manner of conducting inquests.

§ 12. Conservator for estate of lunatic—contracts with lunatics.

Approved May 14, 1903.

AN ACT to amend sections 5, 8 and 12 of an act entitled "An act to revise the law in relation to the commitment and detention of lunatics, and to provide for the appointment and removal of conservators, and to repeal certain acts therein named," approved June 21, 1893, in force July 1, 1893, and all amendments thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 5, 8 and 12 of an act entitled "An act to revise the law in relation to the commitment and detention of lunatics, and to provide for the appointment and removal of conservators, and to repeal certain acts therein named," approved June 21, 1893, in force July 1, 1893, and all amendments thereto, be amended so as to read as follows:

§ 5. Inquests in lunacy shall be by jury, or a commission of two licensed physicians engaged in active practice in said county, as hereinafter provided.

§ 8. Inquests in lunacy may be in open court or in chambers, or at the home of the person alleged to be insane, at the discretion of the court. The judge shall preside, whether the inquest is by jury

or a commission, and the presence of the patient shall be indispensable, and no proceedings can be had in his absence, unless otherwise provided in this act. The judge may require all persons other than the patient, his friends, witnesses, licensed attorneys and officers of the court, to withdraw from the room during the inquest.

§ 12. If any person alleged to be insane shall be possessed of any estate, real, personal or mixed, it shall be lawful for the person filing application for an inquest in lunacy in his case to make at the same time application for the appointment of a conservator of such alleged lunatic. And if such alleged lunatic shall be adjudged insane, or if it shall appear to the court that any person has been adjudged insane by the court without application for a conservator having been made, and that such lunatic is possessed of any estate, real, personal or mixed, and is still insane, in either case it shall be lawful for the court, upon petition filed for that purpose, to make an appointment of a conservator upon the same judgment without further proceedings, and exercise in respect thereto all the power contained in an act entitled "An act to revise the law in relation to lunatics, idiots, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874, and all amendments thereto, and such conservator shall perform the duties and incur the liabilities imposed by said act upon conservators appointed thereunder: *Provided*, that in any county wherein a probate court has been or may hereafter be established, upon the filing in such court of the proper petition, together with the duly certified copy of the record and the verdict of the jury, or the report of the commission of physicians and the judgment of the county court thereon finding such person insane, such probate court may, in its discretion, without further inquest, by jury or commission of physicians, appoint such conservator; and every note, bill, bond or other contract by any person adjudged insane under the provisions of this act, made after such person has been adjudged insane under this act, shall be void as against such lunatic and his estate, but a person making any contract with such lunatic shall be bound thereby.

APPROVED May 14, 1903.

LUNATICS, IDIOTS, ETC.

CONSERVATOR—APPOINTMENT PROVIDED FOR.

§ 1. Amends sections 1, 2, and 3, act of 1874.

§ 1. Proceedings for appointment of conservator.

§ 2. Proceedings in court—jury—finding—appointment.

§ 3. Conservator's bond—amount of bond—additional bond.

Approved May 16, 1903.

AN ACT to amend sections one, two and three of an act entitled, "An act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874, and all amendments thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 2 and 3 of an act entitled, "An act to revise the law in relation to idiots, lunatics, drunkards and spendthrifts," approved March 26, 1874, in force July 1, 1874, and all amendments thereto, be, and the same are hereby amended to read respectively, as follows, to-wit:

§ 1. When any person having any estate, real or personal, shall be, or be supposed to be, an idiot or an insane, distracted or feeble minded person, who, by reason of unsoundness of mind, is incapable of managing and caring for his own estate, or when any person having any estate shall be, or be supposed to be a drunkard or spendthrift who is alleged so to spend, waste or lessen his estate as to expose himself or his family to want or suffering, or any county, town or incorporated city or village to any charge or expense for the support of himself or his family, the county court of the county wherein such person resides, shall, on the proper application of any reputable citizen of such county, proceed in the manner hereinafter provided, to ascertain whether such person be an idiot or an insane, distracted or feeble minded person, who, by reason of unsoundness of mind, is incapable of managing and caring for his own estate, a drunkard or spendthrift as aforesaid: *Provided*, that in any county wherein a probate court is or hereafter may be established, such application shall be made to said probate court.

§ 2. On any application for the appointment of a conservator of any person being filed, the court shall set said cause for hearing summons [which] shall be issued returnable on any day of the term, and service shall be had upon the person for whom a conservator is sought to be appointed, in the same manner by summons or otherwise as service is had in chancery. At the time fixed for the hearing, a jury of six persons shall be empaneled to try the case; the court may, for good cause, continue the case from time to time. If any person be found an idiot, insane person, distracted or feeble minded person, drunkard or spendthrift, and by reason of such condition incapable of managing and caring for his own estate, it shall be the duty of the court to appoint a conservator for such person.

§ 3. The conservator so appointed shall before entering upon the duties of his office give bond payable to the People of the State of Illinois, with at least two sufficient sureties to be approved by the court at least in double the amount of his ward's personal estate, and six times the amount of the gross annual income of the ward's real estate: *Provided, however*, if such real estate is improved or is covered in whole or in part with timber, or is improved in part and in part covered with timber, the penal sum in said bond shall be increased by an amount at least double the value of the said improvements or of said timber or of both, as the case may be, with such conditions as near as may be as provided, in the case of bonds of the guardian of infants. Additional bonds and counter security may be required as hereinafter provided.

APPROVED May 16, 1903.

MEDICINE AND SURGERY.

COCAINE—SALE OF REGULATED.

§ 1. Amends act of 1901.

§ 14a. Cocaine may be retailed only
on written prescription of
physician.

§ 14b. Penalty for violation of act.

§ 16. Repeal—proviso.

Approved May 13, 1903.

AN ACT to amend an act entitled "An act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain acts therein named," approved May 11, 1901, in force July 1, 1901, by adding thereto two new sections, to be known as section 14a and section 14b, and to amend section 16 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled "An act to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain acts therein named," approved May 11, 1901, in force July 1, 1901, be amended by adding thereto two new sections, to be known as section 14a and section 14b, and amending section 16 thereof.

§ 14a. That it shall not be lawful for any druggist or other person to retail, or sell, or give away any cocaine, hydro-chlorate, or any salts of, or any compound of cocaine, or any preparation containing cocaine, or any salts of, or any compound thereof, excepting upon the written prescription of a licensed physician or licensed dentist, licensed under the laws of the State, which prescription shall only be filled once, and must have written plainly upon it, the name and address of the patient: *Provided*, that the provisions of this section shall not apply to sales at wholesale by any manufacturer or wholesale dealer, who shall sell to the retail druggist, or other person so sold, as original packages only, when such manufacturer or wholesale dealer

shall have affixed to each box, bottle or package containing such cocaine, hydro-chlorate, or salts or compounds of cocaine, or preparations containing cocaine, a label specifically setting forth the proportion of cocaine contained therein.

§ 14b. Any druggist or other person who shall retail or sell any cocaine, hydro-chlorate, or salts or compounds of cocaine, or any preparation containing cocaine, or salts or compounds thereof, in violation of this act, and any druggist or other person who shall prescribe any cocaine, hydro-chlorate, or salts or compounds of cocaine, or any preparation containing cocaine, or salts or compounds thereof, to any person addicted to the habitual use of cocaine, or any preparation or compound thereof, in any form, shall, for the first offense, be fined the sum of not less than fifty dollars nor more than two hundred dollars, and for each subsequent offense not less than two hundred dollars nor more than one thousand dollars; and if the person so offending shall have a license as a physician, dentist or pharmacist, such license shall be revoked.

§ 16. An act entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to regulate the practice of pharmacy in the State of Illinois,'" approved May 30, 1881, in force July 1, 1881, as amended by an act approved June 4, 1889, in force July 1, 1889, in force July 1, 1895, and an act entitled "An act for the regulation for [of] the sale of cocaine and all preparations containing cocaine," approved June 11, 1897, in force July 1, 1897, are hereby repealed: *Provided*, that nothing in this section or this act contained shall be construed to interfere with the term of office of any officer heretofore appointed under the said act, and nothing in this act contained shall be construed to interfere with or cancel any certificate of registration or privilege granted under said act, but the officers heretofore appointed, and any certificate of registration or privilege heretofore granted, shall continue in force, and be and remain for and during the period as provided in the said act.

APPROVED May 13, 1903.

MINES AND MINING.

ATTENDANTS AT DOORWAYS IN MINES.

§ 1. Amends section 19, act of 1899.

Approved May 13, 1903.

§ 19[f.] Attendants at doorways—
places of shelter—automatic
doors.

AN ACT to amend section nineteen (19), paragraph f, of an act entitled, "An act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein," approved April 18, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section nineteen (19), paragraph f, of an act entitled, "An act to revise the laws in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein," approved April 18, 1899, in force July 1, 1899, be amended to read as follows:*

§ 19. TRAPPERS.] (f.) At all principal door-ways, through which cars are hauled, an attendant shall be employed for the purpose of opening and closing said doors when trips of cars are passing to and from the workings. Places for shelter shall be provided at such door-ways to protect the attendants from being injured by the cars while attending to their duties. *Provided*, that in any or all mines, where doors are constructed in such a manner as to open and close automatically, attendants and places for shelter shall not be required.

APPROVED May 13, 1903.

INSPECTION OF MINES.

§ 1. Amends section 6, act of 1899.

Approved May 14, 1903.

§ 6. Appointment of mining board—
appointment of inspectors—
(a) composition of board—(b)
term of office—organization—
(c) location of office—(d) meet-
ings of board—examinations
for inspectors — notice — (e)
rules governing examinations.

AN ACT to amend section 6 of an act entitled, "An act to revise the law in relation to coal mines and subjects relating thereto, and providing for the health and safety of persons employed therein," approved April 18, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 6 of an act entitled, 'An act to revise the law in relation to coal mines and subjects*

relating thereto, and providing for the health and safety of persons employed therein," approved April 18, 1899, in force July 1, 1899, be, and the same is hereby, amended to read as follows:

§ 6. For the purpose of securing efficiency in mine inspection service, and a high standard of qualification in those who have the management and operation of coal mines, the State Commissioners of Labor shall appoint a board of examiners, to be known as the State Mining Board, whose duty it shall be to make formal inquiry into and pass upon the practical and technical qualifications and personal fitness of men seeking appointments as State inspectors of mines, and of those seeking certificates of competency as mine managers, hoisting engineers and as mine examiners.

(a) This board shall be composed of five members, two of whom shall be practical coal miners, one a practicing hoisting engineer, and two coal operators, one of whom shall be an expert mining engineer.

(b) Their appointment shall date from July 1, 1899, and they shall serve for a term of two years, or until their successors are appointed and qualified; they shall organize by the election of one of their number as president, and some suitable person, not a member as secretary, after which they shall all be sworn to a faithful performance of their duties.

(c) The Secretary of State shall assign to the use of the board, suitably furnished rooms in the State House for such meetings as are held at the Capitol, and shall also furnish whatever blanks, blank books, printing and stationery, the board may require in the discharge of its duties.

(d) The board shall meet at the Capitol in regular session on the second Tuesday in September of the year 1899, and bi-ennally thereafter, for the examination of candidates for appointment as State inspectors of mines; for the examination of persons seeking certificates of competency as mine managers, hoisting engineers and mine examiners. The board shall hold meetings at such times and places within the State as shall, in the judgment of the members, afford the best facilities to the greatest number of probable candidates. Special meetings may also be called by the Commissioners of Labor whenever, for any reason, it may become necessary to appoint one or more inspectors. Public notice shall be given through the press or otherwise, announcing the time and place at which examinations are to be held.

(e) The examinations herein provided for shall be conducted under such rules, conditions and regulations as the members of the board shall deem most efficient for carrying into effect the spirit and intent of this act. Such rules, when formulated, shall be made a part of the permanent record of the board, and such of them as

relate to candidates shall be published for their information and governance prior to each examination; they shall also be of uniform application to all candidates.

APPROVED May 14, 1903.

POWDER—USE IN COAL MINES.

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| <p>§ 1. Quantity of powder for shot limited.</p> <p>§ 2. "Inch" defined—how measured.</p> <p>§ 3. Shooting "dead holes"—tamping regulated.</p> | <p>§ 4. Violations of act a misdemeanor—penalty.</p> <p>§ 5. Emergency.</p> <p>Approved May 14, 1903.</p> |
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AN ACT concerning the use of powder in coal mines.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, in all coal mines in this State, where coal is blasted, the quantity of powder used in the preparation of shots shall not in any case exceed sixty inches in coal seams five and one-half feet and over; and shall not exceed forty-eight inches in coal seams under five and one-half feet in thickness.

§ 2. For the purpose of determining the quantity of powder, prescribed in section one (1) of this act, to be used in the preparation of any given shot, an inch of powder shall be one lineal inch, one and one-half inches in diameter, and it shall be measured in a metallic charger not to exceed twelve inches in length and one and one-half inches in diameter.

§ 3. No person shall drill or shoot what is known as a "dead" hole for any part of its depth; nor tamp any drill hole with drill dust, or other combustible material.

§ 4. Any violation of any of the conditions or requirements of this act shall be deemed a misdemeanor, punishable by a fine of not less than ten dollars (\$10) and not exceeding one hundred dollars, (\$100), or by imprisonment in the county jail for a period not exceeding three months or both, at the discretion of the court.

§ 5. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage and approval.

APPROVED May 14, 1903.

WASH ROOM FOR MINERS.

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| <p>§ 1. Wash rooms shall be provided by owners and operators—arrangement of rooms.</p> | <p>§ 2. Violation of act a misdemeanor—penalty.</p> <p>Approved May 14, 1903.</p> |
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AN ACT to require owners and operators of coal mines to provide every coal mine with wash rooms for the use of the miners therein employed.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every owner or operator of a coal mine in this State shall provide and maintain a wash room

at a convenient place at the top of each mine for the use of the miners and other employes of such mine; and such wash room shall be so arranged that such miners and other employes may hang therein their clothes, for the purpose of drying the same.

§ 2. Any mine owner or operator who shall fail or refuse to comply with the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not more than one hundred dollars, and shall stand committed to the county jail until such fine is fully paid.

APPROVED May 14, 1903.

MORTGAGES.

MORTGAGES—ACKNOWLEDGING AND RECORDING.

§ 1. Amends section 2 and 4, act of 1874.

§ 2. Acknowledgment—form of certificate.

§ 4. Recording mortgage—renewal before expiration.

Approval May 15, 1903.

AN ACT to amend section [sections] two and four of an act entitled, "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as amended by an act approved May 30, 1881, in force July 1, 1881, and as amended by an act approved June 17, 1891, and in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That sections two and four of an act entitled, "An act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as amended by an act approved May 30, 1881, in force July 1, 1881, and as amended by an act approved June 16, 1887, and in force July 1, 1887, and as amended by an act approved June 17, 1891, and in force July 1, 1891, be amended to read as follows:

§ 2. Such instrument shall be acknowledged before a justice of the peace of the county where the mortgagor resides, or before the county judge of the county in which the mortgagor resides; or if the mortgagor is not a resident of this State at the time of making the acknowledgment, then before any officer authorized by law to take acknowledgment of deeds: *Provided*, that in counties having a population of more than 200,000, such instrument shall be acknowledged before a justice of the peace of the town or precinct where the mortgagor resides. The certificate of acknowledgment may be in the following form: This (name of instrument) was acknowledged before me by (name of grantor), (when the acknowledgment is made by a resident, insert the words, "and entered by me") this day of 19.... Witness my hand and seal (name of officer.) [Seal.]

§ 4. Such mortgage, trust deed or other conveyance of personal property acknowledged as provided in this act, shall be admitted to record by the recorder of the county in which the mortgagor shall reside at the time when the instrument is executed and recorded, or in case the mortgagor is not a resident of this State, then in the county where the property is situated and kept, and shall thereupon, if *bona fide*, be good and valid from the time it is filed for record until the maturity of the entire debt or obligation, or extension thereof made so hereinafter specified: *Provided*, such time shall not exceed three years from the filing of the mortgage, unless within thirty days next preceding the expiration of such three years, or if the debt or obligation matures within such three years, then, within thirty days next preceding the maturity of said debt or obligation, the mortgagor and mortgagee, his or their agent or attorney, shall file for record in the office of the recorder of deeds of the county where the original mortgage is recorded, also with the justice of the peace, or his successor, upon whose docket the same was entered, an affidavit setting forth particularly the interest which the mortgagee has by virtue of such mortgage in the property therein mentioned, and if such mortgage is for the payment of money, the amount remaining unpaid thereon, and the time when the same will become due by extension or otherwise; which affidavit shall be recorded by such recorder, and be entered upon the docket of said justice of the peace, and thereupon the mortgage lien originally acquired shall be continued and extended for and during the term of one year from the filing of such affidavit, or until the maturity of the indebtedness or extension thereof secured by said mortgage: *Provided*, such time shall not exceed one year from the date of filing such affidavit.

APPROVED May 15, 1903.

PARKS AND BOULEVARDS.

ALTERATION AND ENLARGEMENT OF PARK SYSTEMS.

- § 1. Park commissioners of any three towns may acquire additional territory to enlarge park system.
- § 2. Payment for territory acquired provided for.

§ 3. Amends title to act of April 21, 1899.

§ 4. Emergency.

Approved April 29, 1903.

AN ACT to amend an act entitled, "*An act to enable park commissioners to alter or enlarge park systems under their control by acquiring additional lands or territory contiguous to or abutting upon any park, boulevard or driveway under the control of such park commissioners, and to pay for the lands or territory thus acquired,*" approved April 21, 1899, in force July 1, 1899, and to amend the title thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "*An act entitled, 'An act to enable park commissioners to alter or enlarge park systems*

under their control by acquiring additional lands or territory contiguous to or abutting upon any park, boulevard or driveway under the control of such park commissioners, and to pay for the lands or territory thus acquired," approved April 21, 1899, in force July 1, 1899, be amended to read as follows:

§ 1. That persons who have been, or may be appointed, or otherwise selected as commissioners or officers, and constituted a board of public park commissioners for any three towns, under and in pursuance of any act or acts of the General Assembly of this State, which has or have been or may be submitted to the legal voters of such three towns, and by them respectively adopted, for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway or other public work or improvement, who may desire to alter or enlarge the park system under their control by acquiring additional lands or territory lying within the district or territory, the property of which shall be taxable for the maintenance of the parks or boulevards under the control of such park commissioners, are hereby vested with power to take and acquire title, from time to time, by gift, purchase, condemnation or otherwise, to such pieces, parcels or tracts of land as may in their judgment be necessary for such alteration or enlargement, and in case said commissioners cannot agree with the owner or owners, lessees or occupants, or persons interested in any of the various lots, blocks or parcels of land selected, they may proceed to procure condemnation of the same in a manner prescribed in the act of the General Assembly of the State of Illinois, entitled, "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872, and amendments thereto; and it shall be lawful for such park commissioners to vacate and close any highway, street or alley which may pass through, divide or separate any lands so acquired provided the consent of the municipal authorities having control of the highway, street or alley so taken shall be first obtained.

§ 2. Such park commissioners shall have the power to pay for the acquisition and improvement of any lands or territory selected for the purposes herein authorized out of their general revenues or by the issue and sale of interest bearing bonds, in addition to the bonds now authorized by law to be issued and sold by such park commissioners: *Provided*, no bond shall be issued under this act contrary to the provisions of section 12, article 9, of the constitution of this State: *And, provided further*, that the proposition to issue such bonds shall be submitted to a vote of the legal voters of such park district and receive a majority of the votes cast upon such proposition. And authority is hereby expressly granted to the park commissioners issuing such bonds to levy and collect a direct annual tax upon the property within their jurisdiction, in addition to the amount of any tax now authorized by law to be levied and collected by them, sufficient to pay the interest on said bonds as it falls due and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing said bonds, and the county clerk of the county in

which such park district is located or such other officer or officers as are by law authorized to spread or assess taxes for park purposes and other purposes shall, on receiving a certificate from such park commissioners that the amount mentioned in such certificate is necessary to pay the interest on said bonds, and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing said bonds, spread and assess such amount upon the taxable property embraced in said park district the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

§ 3. That the title of said act be amended to read as follows: "AN ACT to enable park commissioners to alter or enlarge park systems under their control by acquiring and improving additional lands or territory, and to pay for such acquisition and improvement."

§ 4. WHEREAS, There is a necessity for the immediate acquisition of the lands contemplated in this act; therefore, an emergency exists, and this act shall take effect and be in force from, and after its passage.

APPROVED April 29, 1903.

ENLARGEMENT AND CONNECTION OF PARKS AND BOULEVARDS.

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| <p>§ 1. Extending parks, etc., over public waters—navigation not to be interfered with.</p> <p>§ 2. Connecting parks by driveways constructed on or over bed of public waters.</p> <p>§ 3. Riparian rights may be acquired by board.</p> | <p>§ 4. Title acquired vests in park board—title to submerged land between driveway and shore bed of Lake Michigan.</p> <p>§ 5. No extension authorized beyond limits of park district.</p> <p>Approved May 14, 1903.</p> |
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AN ACT to enable park commissioners having control of a park or parks bordering upon public waters in this State, to enlarge and connect the same from time to time by extensions over lands and the bed of such waters, and defining the use which may be made of such extensions, and granting submerged lands for the purpose of such enlargements.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That every board of park commissioners existing under the laws of this State, which now has, or may hereafter have, or acquire control over any public park, boulevard or driveway, bordering upon any public waters in this State, shall have the power to extend such park, boulevard or driveway over and upon the bed of such public waters: Provided, however, that no such extension shall be made which shall interfere with the practical navigation of such public waters, for the purposes of commerce, without due authority from the proper official of the United States government having control thereof.*

§ 2. Every board of park commissioners existing under the laws of this State which now has, or may hereafter have, or acquire, control over two or more separate public parks, whether they constitute a part of one park system or not, bordering upon any body of public water in this State, shall have power to connect the same by constructing a boulevard, driveway or parkway extending over and upon the bed of such public waters, and over and upon any lands penetrating into such waters, and may extend any such park by constructing a boulevard, driveway or parkway over any private property, and over any navigable river or any part thereof which lies within the territory, the property of which shall be taxable for the maintenance of the park under the control of said board, so as to connect such boulevard, driveway or parkway with any boulevard, driveway or parkway now or hereafter constructed, and connected with or forming a part of any other park system; and in extending such park or in constructing such boulevard, driveway or parkway, the said board of park commissioners may construct such viaducts, bridges or tunnels, or parts of viaducts, bridges or tunnels, within its said territory as to it may seem necessary: *Provided, however,* that no such extension which shall be made, shall interfere with the practical navigation of such public waters or rivers for the purposes of commerce, without due authority from the proper official of the United States government having control thereof.

§ 3. The riparian or other rights of the owners of land on the shores adjoining the waters or rivers in which it is proposed to construct any such extension or connection, the title of the private owners, if any there be, of lands lying beneath such public waters or rivers, and the title of the owners of any lands penetrating into such public waters or of any land into, upon, or over which it is proposed to construct such extension or connection, or viaduct, bridge or tunnel, may be acquired by the said board of park commissioners by contract with, or deeds from, any such owner or owners, and such park commissioners shall have the power to pay for any such rights, lands, or territory thus acquired, out of its general revenue.

§ 4. The title to any such extension or connection of such park or parks, boulevards, driveways and parkways, and to the bed thereof shall be, and thereby become vested in such board of park commissioners for public purposes, and the same shall thereby become a part of the public park or parks under the control of such board, and shall thenceforth be maintained and controlled by such board in the manner provided by law for the government and maintenance of other parks, boulevards and driveways under its control, and in all cases where any boulevard, driveway or parkway is extended or constructed under the provisions of this act, the title to the submerged lands lying between the shore of such public waters and the inner line of the extension of such boulevard, driveway or parkway, shall be, and thereby become vested in such board of park commissioners; and in

case any such extension or connection as provided in this act shall be made into, over or upon the bed of Lake Michigan by any such board of park commissioners, then the right, title and interest of the State of Illinois in and to the bed of so much of said Lake Michigan shall be vested in such board of park commissioners, as in other cases provided in this act, and for the same purposes and with the same rights and power.

§ 5. No such board of park commissioners shall be hereby authorized to extend any of its park or boulevard system outside of or beyond the limits of the district or territory, the property of which shall be taxable for the maintenance of the parks under the control of such board, except into, over, and upon public waters or rivers adjoining or being a part of such district.

APPROVED May 14, 1903.

ENLARGEMENT AND EXTENSION OF PARKS.

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| <p>§ 1. Parks lying in two towns and fronting on lake empowered to issue bonds from time to time—amount restricted—authority to act must be filed with county clerk.</p> <p>§ 2. Bonds—when issued—rate of interest—time to run.</p> <p>§ 3. Bonds—sale of—issued by one town only.</p> | <p>§ 4. Taxation for payment of bonds and park maintenance.</p> <p>§ 5. Payment of bonds—sinking fund authorized.</p> <p>§ 6. Petition for issue of bonds—contents—filing—submission to electors.</p> <p>§ 7. Emergency.</p> |
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Approved May 14, 1903.

AN ACT to provide for the enlargement and extension of parks.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases where a public park within specified boundaries, fronting on the shore of a lake, lies in two towns, and where the commissioners of such park have been named and the act establishing the same, and their successors have since been appointed by the Governor of the State, and the supervisors and assessors of said towns have been heretofore declared to be corporate authorities, the supervisor and assessor of such towns, or the supervisor and assessor of either of such towns, or such public officials as are by statute declared to be *ex officio* town supervisors and assessors, as the corporate authorities of such town or towns, are hereby empowered upon the written request to that effect of such board of park commissioners, or the successors thereof, to authorize the issue of bonds from time to time, in the name of such town, in an amount including the existing indebtedness of such town so that the aggregate indebtedness of such town shall not exceed five per centum of the value of the taxable property therein, to be ascertained by the last assessment for State or county taxes previous to the issue, from time to time, of such bonds, such authorized issue not to exceed in the aggregate the sum of \$1,000,000 in addition to the amount previously authorized by law. Such authority shall be in writing, signed

by the supervisor and assessor of the town issuing said bonds, or such public officials as are by statute declared to be *ex officio* town supervisors and assessors. A copy of this authority shall be filed with the county clerk, and another copy shall be filed with said board of park commissioners, to be by them recorded in their record of proceedings of said board.

§ 2. Such bonds shall be issued when authorized as aforesaid, in the name of said town, by said board of park commissioners, and shall be signed by its president and treasurer, and countersigned by its secretary, with its seal attached. Said bonds shall bear interest at a rate not to exceed five per centum per annum, payable semi-annually, and the principal shall be paid at such place and such time, not exceeding twenty years from the date of issue of said bonds, as such board or park commissioners may determine.

§ 3. Said board of park commissioners may sell said bonds, or so much of the authorized issue as shall not exceed five per centum of the value of the taxable property situated in said town, so that the amount of the bonds issued, together with the existing aggregate indebtedness of such town shall not exceed five per centum of the value of the taxable property situated therein, and the proceeds thereof shall be used exclusively for the extension and enlargement of said park: *Provided, however,* that in the event said bonds are issued by one of the towns in which said park is situated, the proceeds thereof shall be used for the extension and enlargement of only such part of the park as is situated in the said town issuing said bonds.

§ 4. In addition to the amount of money authorized to be raised by taxation on the property of such town, for park and boulevard purposes, during the next succeeding year, and each year thereafter in the manner provided by statute, there shall be added the amount of interest payable on said bonds during the next year and each succeeding year thereafter, also an additional sum sufficient to pay and discharge the principal of said bonds within twenty years from the date of issuing the same, and there shall also be added a sum sufficient to maintain the part of said park so extended and enlarged.

§ 5. For the purpose of providing for the payment of interest on such bonds as it falls due, and also repay and discharge the principal thereof as the same shall mature, any such board of park commissioners are hereby required each year to appropriate from the amount authorized to be raised by taxation on the property in such town, a sum sufficient to meet the interest upon such bonds as it may accrue, and to provide a sinking fund for the purpose of paying the principal of such bonds.

§ 6. Any one hundred legal voters resident within the limits of either of such towns within which said park may be established, may petition the county judge of the county within which such towns lie, to cause the question to be submitted to the legal voters of such town at the next general election to be held in the county or city within which such town is situated, whether they will authorize

the issue of said bonds hereinbefore described, for said purpose. Such petition shall be addressed to the judge of the county court of the county in which such town is situated, and shall contain a definite and clear description of the land or territory intended to be acquired for the purpose of such enlargement or extension, or if such extension is proposed to be made by any plan not wholly requiring the acquisition of land or territory, then such petition shall contain a clear exposition of the manner in which such proposed extension or enlargement is to be accomplished. Upon the filing of such petition, it shall be the duty of the county judge to order said question to be submitted to the voters in the said town at the next general city or special election, as aforesaid, and if the majority of the votes cast upon that issue in the town in which such question is submitted, is in favor of the proposed issue of bonds, then said bonds shall be issued and used in the manner and form herein before specified.

§ 7. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 14, 1903.

ENLARGEMENT OF PARKS BORDERING ON PUBLIC WATERS.

§ 1. Amends section 2, act of 1895.

Approved May 14, 1903.

§ 2. Riparian rights may be acquired
—action of land owners—hear-
ing in circuit court—decree—
proceedings where parties in-
terested are unable to con-
tract.

AN ACT to amend section 2 of an act entitled "An act to enable park commissioners, having control of any park bordering upon public waters in this State, to enlarge the same from time to time, and granting submerged lands for the purpose of such enlargement, and to defray the cost thereof," approved June 15, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 2 of an act entitled "An act to enable park commissioners having control of any park bordering upon public waters in this State, to enlarge the same from time to time, and granting submerged lands for the purpose of such enlargement, and to defray the cost thereof," approved June 15, 1895, in force July 1, 1895, be, and the same is hereby, amended so as to read as follows:

§ 2. The riparian rights of the owners of lands along the shore adjoining such submerged land, and such land along the said shore as to the said board shall seem necessary and desirable, the said board of commissioners may acquire by contract with or deeds from any such owner, and in case of inability to agree with any such owner, proceedings may be had to condemn such rights and such lands according to the provisions of article 9 of an act entitled "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and the amendments thereof.

In all cases in which said board of park commissioners shall have acquired or contracted to acquire the riparian rights of the owners of any land along the shore adjoining such submerged land, the owners of such shore land may file a petition or bill in chancery on the chancery side of the circuit court of the county in which said lands are situated, to which bill or petition the said board of park commissioners shall be made defendants, praying that the boundary line between the lands of the petitioners or complainants in said suit and the lands acquired by the said board of park commissioners under this act, may be established and defined by the decree of said circuit court. The defendants shall be served with process in the suit so instituted in the same manner as in suits in chancery, and the proceedings in said cause may be conducted in the same manner as in other suits in chancery, and the court shall have power by its final decree in said cause to establish the dividing or boundary line between the lands of the petitioners or complainants and the lands of the said board of park commissioners adjacent thereto, and the line so established by the decree or judgment of the said circuit court shall be the permanent boundary line of said shore lands, which shall not be affected or changed thereafter, either by accretions or erosions, and the owners of said shore lands shall have the right to improve, protect, sell and convey the shore lands up to the boundary line so established, free from any adverse claim in any way arising out of any question as to where the shore line was at any time in the past or as to the title to existing accretions, if any, to said shore land. And in the event that any owner or party interested in any of the said shore lands shall be unable to contract with said park commissioners by reason of minority or other disability, a petition or bill in chancery may be filed by the guardian or next friend of such owner on the chancery side of the circuit court in the county in which such lands are situated, to which the said board of park commissioners shall be made defendants, praying that such proceedings may be had and such order or decree entered as may be necessary or proper to protect the interests of the said petitioner or complainant in said shore lands. The defendants shall be served with process in the same manner as in suits of chancery, and the proceedings in said cause shall be conducted in the same manner as in other suits in chancery, and the court shall have power by its final decree, upon such terms and conditions as it may deem reasonable and fair, to transfer to said board of park commissioners all the riparian rights of the petitioner or complainant, and also to establish the boundary line between the lands owned by the petitioner or complainants, and the lands of said board of commissioners.

APPROVED May 14, 1903.

FREE PUBLIC LIBRARIES IN PARKS.

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| <p>§ 1. Free public libraries may be located in parks—rights of owners of abutting lands may be acquired by condemnation.</p> <p>§ 2. Control and management of library.</p> | <p>§ 3. Action required of library trustees and park board to make act effective.</p> <p>§ 4. Repeal.</p> <p>Approved May 14, 1903.</p> |
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AN ACT entitled, "*An act concerning free public libraries in public parks.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the corporate authorities of cities and park districts, or any board of park commissioners having the control or supervision of any public park or parks, are hereby authorized to permit any free public library, organized under the terms and provisions of an act entitled, "An act to encourage and promote the establishment of free public libraries in cities, villages and towns of this State," approved June 17, 1891, in force July 1, 1891, to erect and maintain, at its own expense, its library building within any public park now or hereafter under the control or supervision of such city, park district or board of park commissioners, and to contract with any such free public library relative to the erection, maintenance and administration thereof. If any owner or owners of any lands or lots abutting or fronting on any such park, or adjacent thereto, or any other person or persons, have any right, easement, interest or property in such public park appurtenant to their lands or lots or otherwise, which would be interfered with by the erection and maintenance of any free public library building, as hereinbefore provided, or any right to have such public park, or any part thereof, remain open and vacant and free from any buildings, the corporate authorities of the city or park district or any board of park commissioners, having control of such park, may condemn the same in the manner prescribed in an act of the General Assembly entitled, "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872, and the amendments thereto.

§ 2. The directors, trustees or managers of any public library which shall erect its library building in or upon any public park, under the terms and provisions as aforesaid, shall, so long as said building is maintained as a free public library, control, direct and manage the affairs of such library, as heretofore, under the terms and provisions of an act entitled, "An act to encourage and promote the establishment of free public libraries in cities, villages and towns of this State," approved June 17, 1891, in force July 1, 1891, and in all respects the same as though the said building was not erected in or upon a public park.

§ 3. In case the directors, trustees or managers of any free public library, or a majority of them, shall make request in writing, of the corporate authorities of such city, park district or board of park commissioners, for permission to erect a free public library

building in or upon any public park, under the control, supervision or jurisdiction of such city, park district or board of park commissioners, designating the site desired and the general style, and approximate cost of such building, it shall be the duty of such authorities to submit the question of granting such request to the legal voters of such city or park district at the next municipal election; and if a majority of the legal voters, voting upon such question at any such election, shall favor the granting by said city, park district or board of park commissioners of the aforesaid request, then the said authorities or board of park commissioners shall authorize the erection of said building, as aforesaid, and if necessary proceed to condemn, as aforesaid, any right, easement or interest, belonging to such abutting property owners, which would be interfered with by the erection of said library building, and such city or park district shall have the power to pay for any right, easement or interest so condemned out of its general revenues.

§ 4. All acts or parts of acts, inconsistent with the foregoing, or any part thereof, be, and the same are hereby repealed.

APPROVED May 14, 1903.

MUSEUMS IN PUBLIC PARKS.

§ 1. Amends act of 1893.

§ 1. Authorizes maintenance of museums in public parks—maximum admission fee fixed—condemnation of abutting property.

§ 2. Additional tax of $\frac{1}{2}$ mill authorized for maintenance of museum.

Approved May 14, 1903.

AN ACT to amend an act entitled, "An act concerning museums in public parks," approved June 17, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act concerning museums in public parks," approved June 17, 1893, in force July 1, 1893, be, and the same is hereby, amended so as to read as follows:

§ 1. That the corporate authorities of cities and park districts having the control or supervision of any public park or parks, are hereby authorized to purchase, erect and maintain within any public park, under the control or supervision of such corporate authorities, edifices to be used as museums for the collection and display of objects pertaining to natural history or the arts and sciences, or to permit the directors or trustees of any museum devoted to either of the purposes aforesaid, now located in any public park under the control or supervision of any city or park district, to erect and maintain its museum or museums within any public park now or hereafter under the control or supervision of any city or park district, and to contract with the directors or trustees of any such museum or museums relative to the erection and maintenance thereof. Such cities and

park districts may charge, or permit said museums to charge an admission fee, not to exceed 25 cents for each visitor over ten years of age, and not exceeding 10 cents for each visitor of ten years of age and under, the proceeds of such admission fee to be devoted exclusively to the maintenance of such museums: *Provided*, that all such museums shall be open to the public without charge for three days each week, and to the children in actual attendance upon any of the schools, in this State, at all times. If any owner or owners of any lands or lots abutting or fronting on any such public park, or adjacent thereto, have any private right, easement, interest or property in such public park appurtenant to their lands or lots, or otherwise, which would be interfered with by the erection and maintenance of any museum as hereinbefore provided, or any right to have such public park remain open or vacant and free from buildings, the corporate authorities of the city or park district, having control of such park, may condemn the same in the manner prescribed in an act of the General Assembly entitled, "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872, and the amendments thereto.

§ 2. That any board of park commissioners, having control of a public park, within which there shall be maintained any museum or museums of art, sciences or natural history, under the provisions of this act, is hereby authorized to annually levy a tax (in addition to all other taxes authorized by law) of one-half mill on each dollar of taxable property embraced in said district, according to the valuation of the same as made for the purpose of State and county taxation by the general assessment last preceding the time when such one-half mill tax shall be levied for the purpose of maintaining and caring for such museum or museums, and the buildings and grounds thereof; and the proceeds of such additional tax shall be kept as a separate fund: *Provided*, the proposition to annually levy a tax as herein authorized shall first be submitted to a vote of the legal voters of such park district, and receive a majority of the votes cast upon such proposition.

APPROVED May 14, 1903.

PARKS FOR ANY THREE TOWNS.

§ 1. Amends act of 1899.

Approved May 14, 1903.

- § 1. Commissioners of park for any three towns may levy additional 2 mill tax for improvement and maintenance of parks.

AN ACT to amend an act entitled, "An act to enable park commissioners to maintain and govern parks, boulevards, driveways, promenades and pleasure grounds under their control," approved April 21, 1899, and in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act to enable park commissioners to maintain and govern parks, boulevards, driveways, promenades and pleasure grounds under their control," approved April 21, 1899, in force July 1, 1899, be, and the same is hereby, amended so as to read as follows:

Section 1. That persons who have been or may be appointed or otherwise selected as commissioners or officers, and constituted a board of public park commissioners for any three towns under and in pursuance of any act or acts of the General Assembly of this State, which has, or have been or may be submitted to the legal voters of such three towns and by them respectively adopted for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway or other public work or improvement, shall, in addition to the amount of money now authorized to be raised by any such board by taxation on the property embraced in such park district in such three towns, be annually allowed a sum not exceeding two (2) mills on each dollar of taxable property embraced in such park district, according to the valuation of the same, as made for the purpose of State and county taxation by the general assessment last preceding the time when such two (2) mill tax shall be levied. And the county clerk of the county in which such park district is located, or such other officer or officers, as are by law authorized to spread or assess taxes for park purposes and other purposes, shall, on receiving a certificate from such board of park commissioners that the amount mentioned in such certificate, not exceeding the amount aforesaid, is necessary for the proper improvement, governance and maintenance of the park property under its control, spread and assess such amount upon the taxable property embraced in such park district, the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

APPROVED May 14, 1903.

PARKS IN TWO OR MORE TOWNS—ALTERATION AND ENLARGEMENT.

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| § 1. Submerged lands may be included in adjacent parks — navigation respected. | § 2. Emergency.
Approved May 14, 1903. |
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AN ACT to enable the corporate authorities of two or more towns, for park purposes, to alter or enlarge the parks under their control.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That park commissioners who are, or shall be, the corporate authorities of two or more towns for park purposes, and who shall have under their supervision or control any public park or portion thereof, under or by virtue of any ordinance passed by any city council, is hereby authorized to alter or enlarge the boundaries of such park by including therein the submerged lands adjacent to or bordering upon such park: *Provided*, that such alteration or enlargement shall not interfere with the practical navigation of any public waters lying within the State, or extend beyond the harbor line established by the Secretary of War.

§ 2. WHEREAS, There is a necessity for the immediate alteration or enlargement contemplated in this act, therefore, an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 14, 1903.

SMALL PARKS AND PLEASURE GROUNDS—ACQUISITION AND MAINTENANCE.

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| 1. Amends act of 1901 and title thereof.
§ 1. Certain park boards may issue and sell bonds.
§ 2. Levy of tax for interest on bonds — further tax of $\frac{1}{2}$ mill authorized. | § 3. Proceeds of bond sales to be used solely for purpose of small parks—maximum area fixed.
§ 4. Amends title of act of 1901.
Approved May 14, 1903. |
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AN ACT to amend an act entitled, "An act to enable the corporate authorities of two or more towns for park purposes, to issue bonds to raise funds for the acquisition and improvement of additional small parks or pleasure grounds, and to provide for the payment thereof," approved and in force May 10, 1901, and to amend the title thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act to enable the corporate authorities of two or more towns, for park purposes, to issue bonds to raise funds for the acquisition and improvement of additional small parks or pleasure grounds, and to provide for the payment thereof," approved and in force May 10, 1901, be amended to read as follows:

§ 1. That any board of park commissioners which has been by law declared to be the corporate authorities of two or more towns, for park purposes, said board of park commissioners and the successors

thereof as such corporate authorities, shall have, and they are hereby vested with full power and authority, in their discretion, to issue and sell, in addition to the bonds now authorized by law to be issued and sold by such park commissioners, interest bearing bonds to an amount not exceeding one million (1,000,000) dollars: *Provided*, no bonds shall be issued under this act contrary to the provisions of section twelve, article nine, of the constitution of this State.

§ 2. Authority is hereby expressly granted to the board of park commissioners, as such corporate authorities issuing said bonds, to levy and collect a direct annual tax upon the property within its jurisdiction, in addition to the taxes now authorized by law to be levied and collected for park and boulevard purposes by such corporate authorities sufficient in amount to pay the interest on the bonds hereinbefore authorized as it falls due; and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing said bonds; and a further tax, to be expended for the purposes hereinafter set forth, of not to exceed one-half mill on each dollar of taxable property embraced in such park district, according to the valuation of the same as made for the purpose of State and county taxation by the general assessment last preceding the time when such one-half mill tax shall be levied; and the county clerk of the county, in which such park district is located, or such other officer or officers as are by law authorized to spread or assess taxes for park purposes, and other purposes. on receiving a certificate from such park commissioners that the amount mentioned in such certificate, not exceeding the amount aforesaid, is necessary for the purpose herein authorized, shall spread and assess such amount upon the taxable property in said park district, the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

§ 3. The proceeds of the bonds herein authorized shall be used exclusively for the purchase and improvement of the lots, blocks or parcels of land which may be selected for small parks or pleasure grounds, pursuant to an act entitled, "An act to enable park commissioners to acquire, improve and maintain additional small parks or pleasure grounds," approved and in force May 10, 1901, and the proceeds of the annual tax of not exceeding one-half mill on each dollar hereinbefore authorized shall be used exclusively for the maintenance of parks or pleasure grounds having an area of not to exceed ten acres each; and also for the purchase of lots, blocks or parcels of land which may, from time to time, be selected for additional small parks or pleasure grounds and for the improvement and maintenance thereof.

§ 4. That the title of said act be amended to read as follows: "An act to enable the corporate authorities of two or more towns, for park purposes, to raise funds for the acquisition, improvement and maintenance of additional small parks or pleasure grounds.

APPROVED May 14, 1903.

SOUTH PARK BOARD—CONVEYANCE OF GRANT PARK.

§ 1. Conveys Grant park to south park commissioners.	§ 2. Emergency. Approved May 14, 1903.
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AN ACT conveying certain lands to the south park commissioners for the purpose of establishing a public park or pleasure ground thereon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the land, including all submerged land, known as Grant park, in the city of Chicago, county of Cook and State of Illinois, bounded on the north by the south line of Randolph street, extended in a straight line east from Michigan avenue to the harbor line established by the Secretary of War in Lake Michigan, and bounded on the east by said harbor line, and bounded on the south, east of the right of way, easement and grounds of the Illinois Central railroad company, by the south line of the street known as Lake Park place (formerly known as Park Row), extended in a straight line east from Michigan avenue to said harbor line, and west of said right of way, easement and grounds by the north line of said Lake Park place, and bounded on the west by the east line of Michigan avenue, excepting, however, the right of way, easement and grounds of the Illinois Central railroad company, extending north and south through said Grant park, as described in an ordinance of the city council of the city of Chicago, passed October 21, 1895, and published by authority of said council in 1898, in volume 2 of special ordinances of the city of Chicago, at page 657, be, and the same is hereby, conveyed to the south park commissioners, to be held, managed and controlled by said commissioners, as other parks now are under the control of said commissioners.

§ 2. WHEREAS, There is a necessity for the immediate acquisition and improvement of the park contemplated in this act; therefore, an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 14, 1903.

SOUTH PARK BOARD—CONVEYANCE OF SUBMERGED LANDS.

§ 1. Certain submerged lands granted to south park board, Chicago.	Approved May 14, 1903.
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AN ACT conveying certain lands to the south park commissioners for the purpose of establishing public parks and pleasure grounds thereon.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the land including all submerged and artificially made land lying within the south boundary line of Jackson park and the south line of Seventy-ninth street as extended one thousand feet into Lake Michigan, and a line easterly

of and parallel with the shore line of said lake and the shore line of such lake, and also the land including all submerged and artificially made land lying within the north line of Ninety-fifth street extended to its intersection with the boundary line of Indiana and Illinois as extended and the shore line of Lake Michigan, all of such lands being situated in the city of Chicago, county of Cook, and the State of Illinois, be, and the same are hereby, granted and conveyed to the Board of South Park Commissioners and their successors in office, to be held, managed and controlled by them for the same uses and purposes as other parks now under their control.

APPROVED May 14, 1903.

STREETS AUTHORIZED THROUGH GROVELAND AND WOODLAND PARKS,
CHICAGO.

§ 1. City authorities of Chicago may construct boulevards through certain parks—condemnation proceedings—Douglas monument grounds.

Approved May 14, 1903.

AN ACT to enable the corporate authorities of the city of Chicago to acquire by condemnation proceedings the right to locate, establish and maintain a street or streets to be used for boulevard purposes through Groveland park and Woodland park, and granting to them the right to locate, establish and maintain a street to be used for boulevard purposes through the Douglas monument grounds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That permission is hereby granted to the corporate authorities of the city of Chicago to acquire by condemnation proceedings the right to locate, establish and maintain a street or streets through the pieces, parcels or tracts of land known as Groveland park and Woodland park and situated in said city of Chicago. Said streets shall be used for the purpose of maintaining boulevards only, and shall not exceed 66 feet in width. Said condemnation proceedings shall be instituted against the property owners for whose benefit the State of Illinois holds the title to said tracts of land in trust, and the proceedings therein shall be in accordance with the act of the General Assembly entitled, "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872. Said city of Chicago is further granted the right hereby to locate, establish and maintain a street of not more than 66 feet in width, and to be used for boulevard purposes, through the tract of land known as the Douglas monument grounds, situated in said city of Chicago.

APPROVED May 14, 1903.

PAWNBROKERS.

PAWNBROKING REGULATED.

§ 1. Amends act of 1879 by adding four sections thereto.

§ 4. Book to be kept by pawnbrokers—entries—erasures, etc.

§ 5. Book and articles pawned open to inspection of certain officers.

§ 6. Daily report to sheriff.

§ 7. Sale or removal of property from shop restricted.

Approved May 14, 1903.

AN ACT to amend an act entitled, "An act for the regulation of pawnbrokers," approved June 4, 1879, in force July 1, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act for the regulation of pawnbrokers," approved June 4, 1879, in force July 1, 1879, be, and the same is hereby, amended by adding the following sections thereto:

§ 4. Every pawn and loan broker shall keep a book in which shall be written in ink, at the time of each and every loan or taking of a pledge, an accurate account and description, in the English language, of all the goods, articles or other things pawned or pledged, the amount of money, value or thing loaned thereon, the time of pledging the same, the rate of interest to be paid on such loan, and the name and residence of the person making such pawn or pledge. No entry in such book shall be erased, mutilated or changed.

§ 5. The said book, as well as every article or other thing of value so pawned or pledged, shall at all times be open to the inspection of the sheriff of the county, his deputies, or any members of the police force of any city in the county in which such pawnbroker does business.

§ 6. It shall be the duty of every pawnbroker, to make out and deliver to the sheriff of the county in which such pawnbroker does business, on each day before the hour of ten o'clock a. m., a legible and correct copy from said book, as required in section four of this act, of all personal property and other valuable things, received on deposit or purchased during the preceding day, together with the exact time when received or purchased, and a description of the person or persons by whom left in pledge, or from whom the same were purchased.

§ 7. No personal property received on deposit, purchased or pledged by any such pawnbroker, shall be sold or permitted to be redeemed or removed from the place of business of such pawnbroker, for the space of twenty-four hours after the copy and statement required to be delivered to the sheriff, as required by the preceding section.

APPROVED May 14, 1903.

PENITENTIARIES.

REGULATING THE EMPLOYMENT OF CONVICTS.

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| <p>§ 1. Board of prison industries created.</p> <p>§ 2. Board required to administer provisions of this act—compensation.</p> <p>§ 3. Board to dispose of products of convicts—sale on open market—not to compete with free labor.</p> <p>§ 4. Classification of convicts.</p> <p>§ 5. Labor of convicts not to be contracted for—sale of products to State, etc.</p> <p>§ 6. Eight-hour day prescribed—use of machinery—instruction of convicts.</p> <p>§ 7. Prisoners of 1st grade—labor prescribed for.</p> <p>§ 8. Prisoners of 2d grade—labor prescribed for.</p> <p>§ 9. Prisoners of 3d grade—labor prescribed for.</p> <p>§ 10. General provision concerning labor of all convicts.</p> <p>§ 11. State institutions to have precedence of subdivisions of State.</p> <p>§ 12. Crushed rock for roadways.</p> <p>§ 13. Board shall distribute labor and industries among different penal institutions—sale of plants and machinery—annual reports of board.</p> <p>§ 14. Supplies manufactured for State and subdivisions to be furnished on requisition.</p> <p>§ 15. State and subordinate officials to furnish board of prison industries annual estimate of supplies required.</p> | <p>§ 16. Board of classification created—shall fix price of labor and products—State Auditor shall prescribe form of accounts to be kept.</p> <p>§ 17. Certain convicts may receive pay for work.</p> <p>§ 18. Balances due convicts—how drawn.</p> <p>§ 19. Monthly reports of wardens to board of industries required.</p> <p>§ 20. Monthly estimates of wardens shall be furnished board of industries.</p> <p>§ 21. Purchase of machinery, tools and materials for use in penitentiaries—advertising—bids.</p> <p>§ 22. Purchases by wardens and superintendents.</p> <p>§ 23. Board of industries shall designate bank for deposit of funds—bank shall give bond and pay interest—fund, how drawn.</p> <p>§ 24. Illegal contracts made by warden or others—duty of Attorney General.</p> <p>§ 25. Board required to enforce provisions of act not later than July 1, 1904—termination of contracts—removal of property of contractors.</p> <p>§ 26. Violations of act a misdemeanor—penalty.</p> <p>§ 27. Duty of State's Attorneys.</p> <p>§ 28. Repeal.</p> |
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Approved May 11, 1903.

AN ACT to regulate the employment of convicts and prisoners in the penal and reformatory institutions of the State of Illinois, and providing for the disposition of the products of their skill and industry.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the commissioners of the Illinois State Penitentiary at Joliet, the commissioners of the Southern Illinois Penitentiary at Chester, and the board of managers of the Illinois State Reformatory at Pontiac, or their successors, are hereby created and shall constitute a board in charge of the prison industries of the State of Illinois hereinafter provided for. Such board shall be known as "The Board of Prison Industries of Illinois."

They shall elect one of their number president thereof, and another secretary. They shall have the power to appoint from their number such committees as may be deemed necessary or advisable.

§ 2. The Board of Prison Industries of Illinois shall faithfully and diligently put into operation in the State of Illinois the provisions of this law as hereinafter set forth, and establish in this State, in conformity with this act, a scheme of prison industry best calculated to promote the interests of the State. When such plan is so established by said board, the commissioners of the aforesaid penitentiaries, and the board of managers of said reformatory, shall be charged with the carrying of said plans into execution in their respective institutions. No commissioner or member of said board of managers shall receive any additional compensation for the duties above created beyond the compensation now fixed by law for their services as such commissioner, or member of said board of managers of their respective institutions.

§ 3. It shall be the duty of the Board of Prison Industries of Illinois to attend to the disposition and distribution of all the products of the skill and labor of said convicts and prisoners. They shall particularly be charged with the duty of seeing that, under no circumstances, shall any of the products of the labor of said convicts or prisoners mentioned in this act be sold upon the open market, or in conflict with the provisions of this act. They shall see that the said products do not enter into conflict with any of the established industries of the State, except as hereinafter provided. It shall be their duty at all times, to inform themselves, so far as possible, of the industrial conditions of the State of Illinois, and to see that the labor of said convicts and prisoners does not enter into competition with the products of free labor, except as hereinafter provided.

§ 4. Said commissioners of said penitentiaries, and said board of managers of said reformatory, shall direct the classification of prisoners into three classes or grades, as follows: In the first class shall be included those appearing to be corrigible or less vicious than the others, and likely to observe the laws, and to maintain themselves by honest industry after their discharge. In the second grade shall be included those appearing to be incorrigible or more vicious, but so competent to work and so reasonably obedient to prison discipline, as not seriously to interfere with the productiveness of their labor or the labor of those in company with whom they may be employed. In the third grade shall be included those appearing to be incorrigible or so incompetent, otherwise than from temporary ill health, as to seriously interfere with the discipline or the productiveness of the labor of the prison or reformatory.

§ 5. The Board of Prison Industries of Illinois, or the commissioners of said penitentiaries, or either of them, or the board of managers of said reformatory, shall not, nor shall any other authority whatsoever, make any contract by which the labor or time of any prisoner or convict in any penitentiary or reformatory of this State,

or the product or profit of his work shall be contracted, let, farmed out, given or sold, to any person, firm, association or corporation; except that the said prisoners or convicts in said penal or reformatory institutions may work for and the products of their labor may be disposed of to the State, or any political division thereof, or for or to any public institution owned or managed and controlled by the State, or any political division thereof.

§ 6. The wardens, superintendents, managers and officials of all reformatories and penitentiaries in the State shall, so far as practicable, cause all the prisoners in said institutions who are physically capable thereof, to be employed at useful labor not to exceed eight hours of each day, other than Sundays and public holidays, but such useful labor shall be either for the purpose of production of supplies for said institutions, or for the State, or any political division thereof, or for any public institution owned or managed and controlled by the State, or any political division thereof; or for the purpose of industrial training and instruction, or for the making of crushed rock for road material, and for the improvement of public grounds owned by the State, or use in and upon public buildings owned by the State, or for agricultural pursuits for the support of the inmates of the State institutions, or partly for one and partly for the other of such purposes, or a combination of all of said industries and employments: *Provided, however,* that it shall be the policy of the State to use in such industries, no more machinery or motive power, other than hand and foot power, than may be required to successfully carry this act into effect: *And provided, further,* that the board of managers of the said Illinois State Reformatory at Pontiac, may use all or any part of the eight hours provided herein for the labor of the convicts, in the giving of useful instruction to the inmates of said reformatory.

§ 7. The labor of the prisoners of the first grade in each of said penitentiaries and reformatories, shall be directed with reference to fitting the prisoner to maintain himself by honest industry after his discharge from imprisonment, as a primary or sole object of such labor, and such prisoners of the first grade may be so employed at hard labor for industrial training and instruction, even though no useful or salable products result from their labor, but only in case such industrial training or instruction can be more effectively given in such manner. Otherwise, and so far as consistent with the primary object of the labor of prisoners of the first grade as aforesaid, the labor of such prisoners shall be so directed as to produce the greatest amount of useful products, articles and supplies needed and used in the said institutions, and in the buildings and offices of the State, or those of any political division thereof, or in any public institutions owned and managed and controlled by the State, or any political division thereof, or said labor may be for the State or any political division thereof.

§ 8. The labor of prisoners of the second grade in said penitentiaries and reformatories shall be directed primarily, to labor for the State, or any political division thereof or to the production or manufacture of useful articles and supplies for said institutions, or for any public institutions owned or managed and controlled by the State, or any political division thereof.

§ 9. The labor of prisoners of the third grade in said penitentiaries and reformatories shall be directed to such exercise as shall tend to the preservation of health, or they shall be employed in labor for the State, or any political division thereof, or in the manufacture of such articles and supplies as are needed and used in the said institutions, and in the public institutions owned or managed and controlled by the State, or any political division thereof.

§ 10. All convicts, sentenced to State penitentiaries and reformatories in this State shall be employed for the State, or a political division thereof, or in productive industries for the benefit of the State, or the political divisions thereof, or for the use of public institutions owned or managed and controlled by the State, or the political divisions thereof, which shall be under rules and regulations for the distribution and diversification thereof, to be established by the Board of Prison Industries of Illinois.

§ 11. The labor of convicts in penitentiaries and reformatories in this State, after the necessary labor for the manufacture of all needed supplies for said institutions, shall be primarily devoted to the State, and the public institutions and buildings thereof, and the manufacture of supplies for the State, and the public institutions thereof, and secondly, to the political divisions of the State, and the public institutions thereof.

§ 12. All crushed rock or other manufactured road material created by the labor of such convicts or prisoners, shall be furnished free at such penitentiary or reformatory institutions, to the various governing bodies of the various political divisions of the State of Illinois, in the order of application made therefor, and in such quantities as may be proportionately due such political sub-division, considering the amount of such material made and on hand; but upon the express agreement that such material shall, within one year, be placed in a permanent public roadway, or a public building, or upon public grounds.

§ 13. It shall be the duty of the Board of Prison Industries of Illinois, to distribute among the penal institutions under their jurisdiction, the labor and industries assigned to the Board of Prison Industries of Illinois to said institutions, due regard being had to the location and convenience of the prison, and of other institutions to be supplied, the machinery now therein, and the number of prisoners, in order to secure the best service and distribution of the labor, and to employ prisoners, so far as practicable, in occupations in which they will be most likely to obtain employment after their discharge from imprisonment. The Board of Prison Industries of

Illinois shall have the power, together with the wardens and superintendents, to change or dispose of the present plants and machinery belonging to the State in said institutions now used in industries which shall be discontinued, and which cannot be used in the industries hereafter to be carried on in said penitentiaries and reformatories, due effort to be made by full notice to probable purchasers, in case of sales of industries or machinery, to obtain the best price possible for the property sold. The Board of Prison Industries of Illinois shall annually cause to be procured and reported to the Governor, and by him to the Legislature, with its annual report, a statement showing, in detail, the amount and quantity of each of the various articles manufactured in the several penal institutions under its control, and the labor performed by the convicts therein, and of the disposition thereof.

§ 14. The Board of Prison Industries of Illinois, and the superintendents of reformatories and wardens of penitentiaries, respectively, are authorized and directed to cause to be manufactured by the convicts in the penitentiaries and reformatories, such articles as are needed, and used therein, and also such as are required by the State, or any political division thereof, and in the buildings, offices and public institutions owned or managed and controlled by the State, including articles and materials to be used in the erection of the buildings. All such articles manufactured in the penitentiaries and reformatories, and not required for use therein, may be furnished to the State, or to any political division thereof, or for, or to any public institution owned or managed and controlled by the State, or any political division thereof, at, and for such prices as shall be fixed and determined as hereinafter provided, upon the requisitions of the proper official, trustees or managers thereof. No articles so manufactured shall be purchased from any other source, for the State or public institutions of the State, or any political divisions thereof, unless said Board of Prison Industries of Illinois shall certify that the same can not be furnished upon such requisition, and no claim therefor shall be audited, or paid without such certificate.

§ 15. On or before October first in each year, the proper officials in the State, and the political divisions thereof, and of the institutions of the State, or political divisions thereof, shall report to the said Board of Prison Industries of Illinois, estimates for the ensuing year, of the amount of supplies of different kinds required to be purchased by them that can be furnished by the penal institutions of the State. The said Board of Prison Industries of Illinois is authorized to make regulations for said reports, to provide for the manner in which requisitions shall be made for supplies, and to provide for the proper diversification of the industries of said penal institutions.

§ 16. The president of the Board of Prison Industries of Illinois, the president of the State Board of Public Charities, and the Auditor of Public Accounts of Illinois are hereby constituted a board to be known as the board of classification. Said board shall fix and deter-

mine the prices at which all labor performed, and all articles manufactured and furnished to the State, or any political division thereof, or to the public institutions thereof, shall be furnished, which prices shall be uniform to all. The prices shall be as near the usual market price for such labor and supplies as possible. The State Board of Prison Industries shall devise and furnish to all such institutions a proper form for such requisition, and the Auditor of Public Accounts shall devise and furnish a proper system of accounts, to be kept for all such transactions. So far as practicable, all supplies used in such buildings, offices and public institutions, shall be uniform for each class, and of the styles, patterns, designs and qualities that can be manufactured in the penal and reformatory institutions of this State.

§ 17. Every prisoner confined in any penitentiary or reformatory in this State, who shall become entitled to a diminution of his term of sentence by good conduct, may, in the discretion of the warden of the penitentiary, or of the superintendent of the reformatory, receive compensation from the earnings of the penitentiary or reformatory in which he is confined, such compensation to be graded by the wardens of the penitentiaries, and the superintendent of the reformatory for the prisoners therein, for the time such prisoners may work, but in no case shall the compensation allowed to such prisoners exceed in amount ten per centum of the earnings of the penitentiary or reformatory in which they are confined. The difference in the rate of compensation shall be based both upon the pecuniary value of the work performed, and also on the willingness, industry and good conduct of such prisoner: *Provided*, that whenever any prisoner shall forfeit his good time for misconduct, or the violation of the rules and regulations of the penitentiary or reformatory, he shall forfeit out of the compensation allowed under this section, fifty cents for each day of good time so forfeited: *And provided*, that prisoners serving life sentences shall be entitled to the benefit of this section, when their conduct is such as would entitle other prisoners to a diminution of sentence, subject to forfeiture of good time for misconduct, as herein provided.

§ 18. The amount of surplus standing on the books of the penitentiary or reformatory to the credit of any prisoner, may be drawn by the prisoner during his imprisonment only, upon the certified approval of the Board of Prison Industries of Illinois for disbursement by the warden of said penitentiary, or superintendent of said reformatory, to aid the family of such prisoner, or for books, instruments and instruction not supplied by the penitentiary or reformatory to the men of his grade, or may, with the approval of the said warden or superintendent, be so disbursed without the consent of such prisoner, but no portion thereof shall be disbursed for indulgences of food, clothing or ornament beyond the common conditions of the others in his class in the prison at that time. And any balance to the credit of any prisoner at the time of his conditional release as provided by law, shall be subject to the draft of the prisoner, in such sums and at such times as the Board of Prison Industries of Illinois

shall approve, but, at the date of the absolute discharge of any prisoner, the whole amount of credit balance, as aforesaid, shall be subject to his draft at his pleasure: *Provided*, that any prisoner violating his conditional release, when the violation is formally declared, shall forfeit any credit balance: *And, provided further*, that any prisoner may bequeath by will any sum that may be due him at the time of his death.

§ 19. The warden of each of the penitentiaries and the superintendent of the reformatory shall, on the first of each month, make a full detailed statement of all materials, machinery or other property procured, and the cost thereof, and of the expenditures made during the last preceding month for manufacturing purposes, together with the statement of all materials then on hand to be manufactured, or in process of manufacture, or manufactured, and of machinery, fixtures or other appurtenances for the purpose of carrying on the labor of the prisoners, and the amount and kinds of work done, and the earnings realized, and the total amount of moneys coming into his hands as warden of the penitentiary or superintendent of the reformatory during the last preceding month, as the proceeds of the labor of the prisoners at such prison or reformatory, which statement shall be verified by the oath of such warden or superintendent to be just and true, and shall be by him forwarded to the Board of Prison Industries of Illinois.

§ 20. Such wardens of the penitentiary or superintendent of the reformatory shall also, on the first day of each month, make an estimate and detailed statement of all materials, machinery, fixtures, tools or other appurtenances or accommodations, and the cost thereof, which will, in his judgment, be necessary for carrying on the labor of the prisoners at such penitentiary or reformatory, both for the purposes of production, and of industrial training and education, for the next ensuing month or which, in his judgment, should be contracted for during such month; which estimate shall be forwarded to the Board of Prison Industries of Illinois, who may revise the same.

§ 21. The wardens of the penitentiaries and the superintendent of the reformatory, with the approval of the Board of Prison Industries of Illinois, and the managers or authorities by whatever name known, having charge of the penal institutions of the State, are authorized, within the appropriations which may be placed at their disposal by the State, to procure and maintain all necessary machinery, tools, apparatus or accommodation needful for the purpose of carrying on and conducting such trades and industries, as may be authorized under the provisions of this act. They shall purchase material in the manner following: All purchases and contracts for the material to be used in the manufacture of goods in the penitentiaries and reformatories of the State, shall be made by advertising for sealed proposals. Whenever proposals for furnishing materials have been solicited, the parties responding to such solicitations shall be duly notified of the time and place of opening the bids, and may be present either in person or by attorney, and a record of each bid

shall then and there be made. The Board of Prison Industries of Illinois shall advertise for said proposals or bids in one issue each week for at least two weeks, in two newspapers of general circulation, and representing the two dominant political parties, published in the city of Chicago, and in two newspapers of general circulation and representing the two dominant political parties in the city of St. Louis, Mo., specifying the classes and quality of the material required, and furnish bidders on demand with printed schedules giving a full description of all materials required, with the date and place of delivery, and all other necessary information. The person offering to furnish said materials upon terms most advantageous to the State, and who will give satisfactory security for the performance thereof (in case immediate delivery is not required), shall receive the contract to furnish said material, unless the Board of Prison Industries of Illinois shall deem it to the best interests of the State to decline all proposals and advertise anew; except that said Board of Prison Industries of Illinois shall have the right to purchase any article or articles at private contract, when such articles are offered for sale at a less sum than the lowest bid: *Provided*, that they shall not purchase any article or articles in open market, unless such article or articles shall first have been advertised for bids, as herein provided, or unless it shall also appear to the said Board of Prison Industries that said articles can be purchased cheaper in the open market.

§ 22. The warden or superintendent of each penitentiary or reformatory shall make purchases of the articles included in the estimates so certified to the Board of Prison Industries of Illinois, and it shall not be lawful for such warden or superintendent to make any purchases and contracts on behalf of the State for the industrial purposes of such prison, unless such purchases and contracts shall have been included in such estimate, filed with the Board of Prison Industries of Illinois.

§ 23. The Board of Prison Industries of Illinois shall designate a bank or banks convenient to each of said penitentiaries or reformatory, for receiving deposits from the wardens of such penitentiaries or superintendent of such reformatory, of all moneys coming to their hands as proceeds of the labor of the prisoners, and of the sales of articles manufactured by them therein. Before any such deposits shall be made by such warden or superintendent, or received by any such bank, such bank shall execute and file with the Board of Prison Industries of Illinois, a bond in such penal sum, with such sureties, and upon such conditions as shall be approved by the Board of Prison Industries of Illinois: *Provided*, that such banks shall be designated as shall agree to pay the highest rate of interest on said deposits, said interest to accrue to the general fund. The warden of each of said prisons and the superintendent of such reformatory shall deposit, at least once in each week, in the bank or banks so designated by the Board of Prison Industries of Illinois, all moneys received by him as proceeds of the labor of the prisoners, to his credit as warden of such

penitentiary or superintendent of such reformatory, and shall send to the Board of Prison Industries of Illinois weekly, a statement showing the amounts so received and deposited, and when, from whom and for what received, and the days on which said deposits were made, which statement shall be certified by the proper officer of each bank receiving such deposits, and shall also be verified by the oath of such warden or superintendent, to the effect that the sum so deposited includes all the moneys received by him as the proceeds of the labor of the prisoners in said penitentiary or reformatory, and of the sales of the articles manufactured by them during such week, up to the time of the last deposit appearing on such statement. The moneys so deposited by the warden or superintendent shall be subject to his check or draft only, when such check or draft is countersigned by the president of the Board of Prison Industries of Illinois. The president of the Board of Prison Industries of Illinois shall countersign such check or draft only, when the same is drawn for the payment of an expenditure included in an estimate approved by the Board of Prison Industries of Illinois. In case the balance of such deposit in any such bank shall at any time, in the judgment of the Board of Prison Industries, be in excess of the amount which will be needed to meet the expenses of such penitentiary or reformatory, the Board of Prison Industries of Illinois shall notify the Treasurer of the State, and also the said bank, of the amount of such excess, which amount shall be added by such Treasurer to the prison fund in the treasury of the State, and shall be thereafter payable by said bank upon the draft of said treasurer only. It shall be the duty of the Board of Prison Industries of Illinois, at the commencement of each session of the Legislature, to report the financial condition of each of the penitentiaries and reformatory under the control of the Board of Prison Industries of Illinois. Such report shall state the amount and value of the unmanufactured material on hand, the amount and value of manufactured goods sold but not paid for, and the amount of money remaining on deposit in each bank in which funds are deposited as provided by this section, such losses as may occur from time to time, and also such other information as they shall deem proper, relating to the manufacturing industries of the penitentiaries and reformatory.

§ 24. Any contract made by the warden of any penitentiary, or by any officer or any authority whatsoever, of any penitentiary or reformatory or other penal institution of this State, in violation of or contrary to the provisions of this act, or contrary to or in violation of the constitution of this State, or any amendment thereto, shall be null and void. It shall be the duty of any such officer or authorities, relating in any way to the system of labor adopted, or to the employment of prisoners in any of said penitentiaries or reformatories or other penal institutions, whenever the Attorney General shall be satisfied that any contract made as aforesaid is contrary to or in violation of this act, or of the constitution of this State, or any amendments thereto, or that any of the officers or authorities aforesaid have entered

into or are engaged in any contract or arrangement for the labor of prisoners, or relating to the system adopted or continued in said institutions, and which contract or arrangement is contrary to or in violation of law as aforesaid, if he shall be of the opinion that the facts require such action, he is hereby directed to bring an action in the name of the People of the State of Illinois in any county which he may select, for the purpose of testing the validity of any contract or arrangement made by any of the officers herein named, relating in any way, to the system or labor adopted, or the employment of prisoners in any of the said penitentiaries, reformatories or other penal institutions, or to determine the validity of any act or thing done by any officer herein mentioned, which act or thing shall be alleged to have been in violation of this act. Any party to such contract, agreement or arrangement as aforesaid, or interested in the determination of such action, shall be made defendant, and pending the trial or hearing of the facts alleged or of any issue made as aforesaid, the court shall, on the notice of the Attorney General, and upon a petition duly verified showing the making of any contract or arrangement in violation of the provisions of this act, or the constitution of this State, or any amendment thereto, or the doing of any act or thing by any of the parties defendant in violation of either of said acts, grant an injunction order, restraining the parties named in said order from the further prosecution of the business complained of, or from the further performance of the contract or arrangement claimed to have been entered into as aforesaid, and to restrain and enjoin such officer or officers from the further continuance of any act alleged to be in violation of the laws of this State. And any disobedience of such injunction order shall be punishable as provided by law. And upon any trial had, judgment shall follow the findings of fact made by the court or jury, as in other cases, and with costs, in the discretion of the court.

§ 25. Said Board of Prison Industries shall see this act is in full force and effect at the latest by July 1, 1904, and every penitentiary or reformatory contractor or other person, now employing or using the labor of convicts or prisoners in said institutions, shall, after such date, no longer be furnished such labor under any pretense whatsoever; nor shall any such alleged contracts be longer continued in force or recognized. By July 1, 1904, every such contractor or other person using such contract labor, shall remove from the prison enclosure of every such penitentiary or reformatory, all property of every kind to him belonging.

§ 26. Any commissioner, member of board of managers, warden, deputy warden, superintendent, assistant superintendent, or other prison official or employé, or other person wilfully violating any of the previous provisions of this act in sections 3, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 contained, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than five hundred dollars (\$500), nor more than five thousand dollars (\$5,000), and, in addition to such fine, may be confined in the county jail not to exceed one year, in the

discretion of the court, and in the event of the person convicted aforesaid, holding, at the time of such conviction, any office or employment under the laws of the State of Illinois in any manner connected with said penitentiary or reformatory, he shall forfeit such office or employment; and the court shall thereupon enter an order, as a part of its judgment in said cause, removing the convicted person from the office or employment held by him as aforesaid.

§ 27. It shall be the duty of the several State's attorneys of this State, in their respective counties, to diligently prosecute by indictment or information, any and all violations of this act.

§ 28. All laws, and parts of laws in conflict with the provisions of this act, are hereby repealed.

APPROVED May 11, 1903.

PUBLIC ACCOUNTANTS.

PUBLIC ACCOUNTANTS—ACT AUTHORIZING.

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| <p>§ 1. Qualifications of certified public accountant—use of title or abbreviation of title.</p> <p>§ 2. Examinations—when and how conducted.</p> <p>§ 3. Experienced accountant may be exempted from examination.</p> | <p>§ 4. Examination fee—pay of examiners—expenses to be paid by fees.</p> <p>§ 5. Revocation of certificates.</p> <p>§ 6. Impersonating a certified accountant—penalty—accountants from other states.</p> |
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Approved May 15, 1903.

AN ACT to regulate the profession of public accountants.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any citizen of the United States or person who has duly declared his intention of becoming such citizen, having a place for the regular transaction of business as a professional accountant in the State of Illinois, being over the age of twenty-one years, of good moral character, being a graduate of a high school with a four year's course, or having had an equivalent education, and who shall have received from the University of Illinois a certificate of his qualifications to practice as a public expert accountant as hereinafter provided, shall be styled and known as a "Certified Public Accountant," and no other person shall assume such title or use the abbreviation, "C. P. A.," or any other words or letters to indicate that the person using the same is a certified public accountant.

§ 2. The University of Illinois shall determine the qualifications of persons applying for certificates under this act, and shall make rules for the examination of the same, and for this latter purpose shall appoint three examiners, at least two of whom shall be skilled

in the practice of accounting and actively engaged therein in the State of Illinois, and the third shall be either an accountant of the grade herein described or an attorney skilled in commercial law. The time and place of holding the examinations shall be duly advertised, for not less than three consecutive days, in one daily newspaper published in each of the places where the examinations are to be held, not less than thirty days prior to the date of each examination. The examination shall be in "Theory of Accounts," "Practical Accounting," "Auditing" and "Commercial Law" as affecting accountancy. The examinations shall take place as often as may be necessary in the opinion of the university, but not less frequently than once a year.

§ 3. The University of Illinois may, in their discretion, under regulations provided by their rules, waive all or any part of the examination of any applicant possessing the qualifications mentioned in section 1 who shall have had five successive years' previous experience as a public accountant previous to the date of application, who shall apply in writing within one year after the passage of this act, and who shall have been practicing in this State as a public accountant, on his own account, for a period of not less than one year next prior to the passage of this act; also to any person who shall have been actively in practice as a public accountant for not less than five years next prior to the passage of this act, outside of the State of Illinois, who shall have passed an examination equivalent, in the opinion of the University of Illinois, to the examination to be held under the provisions of this act.

§ 4. (a) The university shall charge for the examination and certificate a fee of twenty-five dollars (\$25) to meet the expenses of such examinations. This fee shall be payable by the applicant at the time of filing his application.

(b) The examiners appointed by the University of Illinois shall be paid for the purposes of this act for the time actually expended in the pursuance of the duties imposed upon them by this act, an amount not exceeding ten dollars (\$10) per day, and they shall be further entitled to their necessary traveling expenses. All expenses provided for by this act must be paid from the receipts under this act, and no expense incurred under this act shall be a charge against the funds of the university.

(c) From the fees collected under section 4, the University of Illinois shall pay all the expenses incident to the examinations held under this act, the expenses of issuing certificates, the traveling expenses of the examiners, and their compensation while performing their duties under this act.

§ 5. The university may revoke any certificate issued under the provisions of this act, for unprofessional conduct or other sufficient cause, provided that written notice shall have been previously mailed to the holder of such certificate twenty days before any hearing

thereon, stating the cause for such contemplated action, and appointing a date for a full hearing thereof by the university: *And, provided, further*, that no certificate shall be revoked until a hearing shall have been had.

§ 6. If any person shall represent himself to the public as having received a certificate as provided in this act, or shall assume to practice as a certified public accountant, or use the abbreviation C. P. A., or any similar words or letters to indicate that the person using the same is a certified public accountant, without having received such certificate; or if any person having received a certificate as provided in this act, and having thereafter lost such certificate by revocation as herein provided, shall continue to practice as a certified public accountant he shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined a sum not exceeding two hundred dollars (\$200) for each offense: *Provided*, that nothing herein contained shall operate to prevent a certified public accountant who is the lawful holder of a certificate issued in compliance with the laws of another state, from practicing as such within this State, and styling himself a certified public accountant.

APPROVED May 15, 1903.

RAILROADS.

STREET RAILWAYS ACROSS BRIDGES.

§ 1. Amends title and section 1, act of 1897,
title of act as amended.

Approved May 11, 1903.

§ 1. Bridge companies may own,
construct or operate street
railways across certain
bridges.

AN ACT to amend an act entitled "*An act to give companies leasing, operating or controlling bridges connecting cities, towns or villages in this State with cities, towns or villages in adjoining states, power to lease, own, construct and operate street railways over such bridge, and in adjoining counties, and acquire stock in and guarantee bonds of such street railways,*" approved June 4, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the title and section one (1) of an act entitled "*An act to give companies leasing, operating or controlling bridges connecting cities, towns or villages in this State with cities, towns or villages in adjoining states, power to lease, own, construct and operate street railways over such bridge, and in adjoining counties, and acquire stock in and guarantee bonds of such street railways,*" approved June 4, 1897, in force July 1, 1897, be, and the same is hereby, amended so as to read as follows:

TITLE.] An act to give companies, domestic or foreign, owning, operating, controlling, leasing, using or holding a license to use a bridge or bridges, or any part thereof, spanning a stream or streams flowing between any city, town or village of this State, and any city, town or village of any adjoining state, or any bridge or bridges, or any part thereof, connecting any such cities, towns or villages, power to lease, own, use, construct, operate and maintain a street railway over such bridge or bridges, and in cities, towns or villages in counties in which such bridge or bridges, or any part thereof, may be situated, and in such counties and adjoining counties, and acquire stock in and guarantee bonds of any company operating such street railway or railways, and ratifying any consent heretofore given by the corporate authorities of any such city, town or village for the construction and operation of such railway or railways.

§ 1. That any company, domestic or foreign, owning, operating, controlling, leasing, using or holding a license to use a bridge or bridges, or any part thereof, spanning a stream or streams flowing between any city, town or village of this State, and any city, town or village of any adjoining state, or any bridge or bridges, or any part thereof, connecting any such cities, towns or villages, may lease, own, use, construct, operate and maintain a street railway over and upon such bridge or bridges, and in cities, towns or villages in counties in which such bridge or bridges, or any part thereof, may be situated, and in such counties and adjoining counties, and acquire stock in and guarantee bonds of any company operating such street railway or railways: *Provided, however*, that this act shall not be held to authorize the location, construction or operation of any such railway upon or across any street in any city, town or village, without the consent of the corporate authorities thereof, either heretofore or hereafter given, and any such consent heretofore given is hereby ratified and confirmed: *Provided further*, any such foreign corporation shall be subjected to all the liabilities, restrictions and duties that are imposed upon corporations organized under the general laws of this State for the purpose of constructing, maintaining or operating a street railroad, and shall have no other or greater powers.

APPROVED May 11, 1903.

STREET RAILWAYS—MUNICIPAL OWNERSHIP.

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| <p>§ 1. Cities may own, operate and lease street railways—operation by city contingent upon vote of electors—term of lease—purchase money—how provided.</p> <p>§ 2. "Street railway certificates"—sundry provisions concerning.</p> <p>§ 3. Accounts, how kept—publication of reports.</p> | <p>§ 4. Act not in force in any city until adopted by vote of electors.</p> <p>§ 5. Ordinance preliminary to vote upon any proposition submitted to electors—duty of city clerk—submission.</p> <p>§ 6. Construction of act.</p> |
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Approved May 18, 1903.

AN ACT entitled "*An act to authorize cities to acquire, construct own, operate and lease street railways, and to provide the means therefor.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every city of this State shall have the power to own, construct, acquire, purchase, maintain and operate street railways within its corporate limits, and to lease the same or any part of the same to any company incorporated under the laws of this State, for the purpose of operating street railways for any period not longer than twenty years, on such terms and conditions as the city council shall deem for the best interests of the public.

But no city shall proceed to operate street railways, unless the proposition to operate shall first have been submitted to the electors of such city as a separate proposition, and approved by three-fifths of those voting thereon. It shall be lawful for any such city to incorporate in any grant of the right to construct or operate street railways, a reservation of the right on the part of such city to take over all or part of such street railways, at or before the expiration of such grant, upon such terms and conditions as may be provided in the grant; it shall also be lawful to provide in any such grant, that in case such reserved right be not exercised by the city, and it shall grant a right to another company to operate a street railway in the streets and parts of streets occupied by its grantee under the former grant, the new grantee shall purchase and take over the street railway of the former grantee, upon the terms that the city might have taken it over, and it shall be lawful for the city council of any city, to make a grant containing such a reservation, for either the construction or operation or both the construction and operation of a street railway in, upon and along any of the streets or public ways therein, or portions thereof, in which street railway tracks are already located at the time of the making of such grant, without the petition or consent of any of the owners of the land abutting or fronting upon any street of [or] public way, or portion thereof, covered by such grant.

No ordinance authorizing a lease for a longer period than five years, nor any ordinance renewing any lease, shall go into effect until the expiration of sixty days from and after its passage. And if, within such sixty days, there is filed with the city clerk of such city a petition signed by ten per cent of the voters voting at the last

preceding election for mayor, in such city, asking that such ordinance be submitted to a popular vote, then such ordinance shall not go into effect, unless the question of the adoption of such ordinance shall first be submitted to the electors of such city, and approved by a majority of those voting thereon.

The signatures to such petition need not all be appended to one paper, but each signer shall add to his signature, which shall be in his own handwriting, his place of residence, giving the street and number. One of the signers of each such paper shall make oath before an officer competent to administer oaths, that each signature to the paper appended, is the genuine signature of the person whose name purports to be thereto subscribed. The city council of any city that shall decide by popular vote, as in this act provided, to operate street railways, shall have the power to make all needful rules and regulations respecting the operation of the same, including the power to fix and prescribe rates and charges, but such rates and charges shall be high enough to produce a revenue sufficient to bear all costs of maintenance and operation, and to meet interest charges on all bonds or certificates issued on account of such railways, and to permit the accumulation of a surplus or sinking fund, that shall be sufficient to meet all such outstanding bonds or certificates at maturity. Street railways owned and operated by any such city, or owned by the city and leased for operating purposes to a private company, may carry passengers and their ordinary baggage, parcels, packages and United States mail, and may be utilized for such other purposes as the city council of such city may deem proper. Such street railways may be operated by such motive power as the city council may approve, except steam locomotives. For the purpose of acquiring street railways either by purchase or construction, as provided for in this act, or for the equipment of any such street railways, any city may borrow money, and issue its negotiable bonds therefor, pledging the faith and credit of the city; but no such bonds shall be issued, unless the proposition to issue the same shall first have been submitted to the electors of such city, and approved by two-thirds of those voting thereon, nor in an amount in excess of the cost to the city of the property for which said bonds are issued ascertained as elsewhere provided in this act, and ten (10) per cent of such cost in addition thereto. In the exercise of the powers, or any of them, granted by this act, any such city shall have the power to acquire, take and hold any and all necessary property, real, personal or mixed for the purposes specified in this act, either by purchase or condemnation in the manner provided by law for the taking and condemning of private property for public use, but in no valuation of street railway property for the purpose of any such acquisition, except of street railways now operated under existing franchises, shall any sum be included as the value of any earning power of such property, or of the unexpired portion of any franchise granted by said city. In case of the leasing by any city of any street railway owned by it, the rental reserved shall be based on both the actual value of the tangible property, and of the franchise

contained in such lease, and such rental shall not be less than a sufficient sum to meet the annual interest upon all outstanding bonds or street railway certificates, issued by said city on account of such street railway.

§ 2. In lieu of issuing bonds pledging the faith and credit of the city, as provided for in section 1 of this act, any city may issue and dispose of interest bearing certificates, to be known as "street railway certificates," which shall, under no circumstances, be or become an obligation or liability of the city or payable out of any general fund thereof, but shall be payable solely out of a specified portion of the revenues or income to be derived from the street railway property, for the acquisition of which they were issued. Such certificates shall not be issued and secured on any street railway property in amount in excess of the cost to the city of such property as hereinbefore provided and ten (10) per cent of such cost in addition thereto. In order to secure the payment of any such street railway certificates and the interest thereon, the city may convey, by way of mortgage or deed of trust, any or all of the street railway property acquired or to be acquired through the issue thereof; which mortgage or deed of trust shall be executed in such manner as may be directed by the city council, and acknowledged and recorded in the manner provided by law for the acknowledgment and recording of mortgages of real estate, and may contain such provisions and conditions not in conflict with the provisions of this act, as may be deemed necessary to fully secure the payment of the street railway certificates described therein. Any such mortgage or deed of trust may carry the grant of a privilege or right to maintain and operate the street railway property covered thereby, for a period not exceeding twenty (20) years from and after the date such property may come into the possession of any person or corporation as the result of foreclosure proceedings; which privilege or right may fix the rates of fare which the person or corporation securing the same as the result of foreclosure proceedings shall be entitled to charge in the operation of said property, for a period not exceeding twenty (20) years. Whenever, and as often as default shall be made in the payment of any street railway certificates issued and secured by a mortgage or deed of trust, as aforesaid, or in the payment of the interest thereon when due, and any such default shall have continued for the space of twelve (12) months, after notice thereof has been given to the mayor and financial officer of the city issuing such certificates, it shall be lawful for any such mortgagee or trustee, upon the request of the holder or holders of a majority in amount of the certificates issued and outstanding under such mortgage or deed of trust, to declare the whole of the principal of all such certificates as may be outstanding, to be at once due and payable, and to proceed to foreclose such mortgage or deed of trust in any court of competent jurisdiction. At a foreclosure sale, the mortgagee or the holders of such certificates may become the purchaser or purchasers of the property, and the rights and privileges sold, if he or they be the highest bid-

ders. Any street railways acquired under any such foreclosure, shall be subject to regulation by the corporate authorities of the city to the same extent as if the right to construct, maintain and operate such property had been acquired through a direct grant, without the intervention of foreclosure proceedings: *Provided, however, that* no street railway certificates or mortgage shall ever be issued by any city under the provisions of this act, unless and until the question of the adoption of the ordinance of the city council, making provision for the issue thereof, shall first have been submitted to a popular vote, and approved by a majority of the qualified voters of the city voting upon such question.

§ 3. Every such city owning, or owning and operating street railways, shall keep the books of account for such street railways distinct from other city accounts, and in such manner as to show the true and complete financial results of such city ownership, or ownership and operation, as the case may be. Such accounts shall be so kept as to show the actual cost to such city of street railways owned; all costs of maintenance, extension and improvement; all operating expenses of every description, in case of such city operation; the amounts set aside for sinking fund purposes; if water or other service shall be furnished for the use of such street railways without charge, the accounts shall show, as nearly as possible, the value of such service, and also the value of such similar service rendered by the street railways to any other city department without charge; such accounts shall also show reasonable allowances for interest, depreciation and insurance, and also estimates of the amount of taxes that would be chargeable against such property, if owned by a private corporation. The city council shall cause to be printed annually for public distribution, a report showing the financial results, in form as aforesaid, of such city ownership, or ownership and operation. The accounts of such street railways, kept as aforesaid, shall be examined at least once a year by an expert accountant, who shall report to the city council the results of his examination. Such expert accountant shall be selected in such manner as the city council may direct, and he shall receive for his services such compensation, to be paid out of the income or revenues from such street railways, as the city council may prescribe.

§ 4. This act shall not be in force in any city, until the question of its adoption in such city shall first have been submitted to the electors of such city, and approved by a majority of those voting thereon. The city council of any such city may, by ordinance, direct that the question of the adoption of this act in such city be submitted to popular vote at any general, city or special election in and for the entire city, coming not sooner than thirty days from and after the passage of the ordinance. If the city council in any city shall incorporate in any grant to a private company of the right to construct or operate street railways, a provision reserving to such city the right to take over such street railways at or before the expiration of the grant, in case the people of such city shall later adopt this act as herein provided, such provision shall be as valid and

effective for all purposes, in case such city shall later adopt this act as herein provided, as if the said provision were made a part of such grant, after the adoption of this act by such city.

§ 5. In all cases provided in this act for the submission of questions or propositions to popular vote, the city council shall pass an ordinance stating the substance of the proposition or question to be voted upon, and designating the election at which such question or proposition is to be submitted, which may be any general, city or special election in and for the entire city coming not sooner than thirty days from and after the passage of said ordinance. The city clerk of such city shall promptly certify the passage of such ordinance to the proper election officials, and it shall thereupon be the duty of such election officials to submit such question or proposition to popular vote.

§ 6. Nothing in this act contained shall be construed to authorize any city to make any street railway grant, or to lease any street railway property, for a period exceeding twenty (20) years from the making of such grant or lease: *Provided*, that when a right to maintain and operate a street railway, for a period not exceeding twenty (20) years, is contained in a mortgage or deed of trust to secure street railway certificates (and no such right shall be implied), such period shall commence as provided in section two (2) of this act.

APPROVED May 18, 1903.

STREET RAILWAYS—VESTIBULES FOR CARS.

§ 1. Screens or vestibules must be provided during certain months.

§ 2. Penalty for violation of act.

Approved May 11, 1903.

AN ACT to provide screens or vestibules for motormen and conductors on the street railway cars, and for a penalty for violation of this act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every cable, grip, electric, horse or other street car, other than trail cars, which are attached to motor cars, shall be provided during the months of November, December, January, February and March of each year, at both ends with a screen or vestibule constructed of glass or other material, which shall fully and completely protect the driver or motorman or gripman or conductor, or other persons stationed on both ends and guiding or directing the motor power by which they are propelled from wind and storm.

§ 2. Any person, agent, or officer of any association or corporation violating the provisions of this act shall, upon conviction, be fined in any sum not less than \$25 nor more than \$100 for each day each car belonging to and used by any such person, association or corporation is directed or permitted to remain unprovided with the

screen required in section 1 of this act; and it is hereby made the duty of the prosecuting attorney of each county in this State, to institute the necessary proceedings to enforce the provisions of this act.

APPROVED May 11, 1903.

RECEIVERS.

RECEIVERS, APPOINTMENT AND DISCHARGE OF.

§ 1. Bond of receiver shall precede appointment—exception.

§ 2. Bond of party in possession in lieu of appointment of receiver.

Approved May 15, 1903.

AN ACT concerning the appointment and discharge of receivers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That before any receiver shall be appointed, the party making the application shall give bond to the adverse party in such penalty as the court or judge may order, and with security, to be approved by the court or judge, conditioned to pay all damages, including reasonable attorneys' fees, sustained by reason of the appointment and acts of such receiver, in case the appointment of such receiver is revoked or set aside: *Provided*, that bond need not be required, when, for good cause shown and upon notice and full hearing, the court is of opinion that a receiver ought to be appointed without such bond.

§ 2. On an application for the appointment of a receiver, the court or judge may, in lieu of appointing a receiver, permit the party in possession to retain such possession upon giving bond, with such penalty and with such security and upon such conditions as the court or judge may order and approve; and the court may remove a receiver and restore the property to the possession of the party from whom it was taken, upon the giving of a like bond.

APPROVED May 15, 1903.

RECORDERS.

ABSTRACT OF TITLE.

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| <p>§ 1. Judgment dockets shall be kept—furnishing of rooms, books, etc.—books open to public inspection.</p> <p>§ 2. Certifying transcript of abstract books—fees allowed.</p> <p>§ 3. Recorder's bond—approval—county to reimburse purchaser of defective abstract.</p> | <p>§ 4. Disposition of fees—indemnity fund—how maintained—investment of fund.</p> <p>§ 5. Act of June 16, 1887, repealed.</p> <p>Approved May 14, 1903.</p> |
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AN ACT to authorize recorders of deeds in counties where recorders of deeds are elected to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor, and to repeal an act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all counties where a recorder of deeds is elected in which said recorder of deeds has heretofore been, or shall hereafter be required by the county board to keep abstract books showing by tract every conveyance or incumbrance recorded, the date of the instrument, the time of filing the same, the book and page where the same is recorded, and showing a true chain of title to each tract and the incumbrances thereon, as shown by the records of his office, such recorder shall, and he is hereby authorized to keep judgment dockets and indexes thereto, showing all judicial proceedings affecting title to real estate in such county, tax sale books with indexes thereto, showing sales or forfeitures of all lands in the county for unpaid taxes and assessments, and such other books as are usual or necessary to be kept for the purpose of making complete abstracts of title to real estate; and the county board shall furnish such recorder with the necessary rooms, books, stationery, fuel and lights for the purposes herein set forth: *Provided*, that nothing in this act shall be construed to empower the recorder to prevent the public from examining and taking memoranda from all records and instruments filed for record, indexes and other books in his official custody, but it shall be his duty at all times, when his office is or is required by law to be open, to allow all persons without fee or reward to examine and take memoranda from the same.

§ 2. Every recorder of deeds keeping such books is hereby authorized, and it shall be his duty to make and certify under the seal of his office, for all persons desiring the same, abstracts of title to real estate in his county, and to charge therefor, in counties of the third class, not to exceed the following fees: For each certificate, certifying to the condition of the title as shown by such abstract, judgment and tax books, the sum of three dollars (\$3), said sum of three dollars (\$3) to include the showing of one instrument of con-

veyance, incumbrance or release thereof, judgment or tax sale. For each additional instrument of conveyance, incumbrance or release thereof, the sum of one dollar (\$1). For each additional judgment or tax sale, the sum of seventy-five (75) cents.

For chancery and probate court proceedings necessary to be shown, one dollar (\$1) per page. Which fees shall be accounted for by such recorder in like manner with fees received by him from recording. And every such recorder shall, for his services in keeping such books and making such abstracts of title in counties of the third class, receive a salary of one thousand dollars per annum, to be paid only out of the fees of his office actually collected, which compensation shall be in addition to the salary allowed him for his duties as recorder; in counties of the second class he shall receive such salary and be authorized to charge such fees as may be filed by the county board.

§ 3. Every such recorder shall, before making and certifying such abstracts of title, give a bond with sufficient security, to be approved by the county board, payable to the county of which he is such recorder, in the penal sum of ten thousand dollars, conditioned to secure the accuracy and correctness of any and all such abstracts of title, and to indemnify the county for all actual losses or damages which the county may be required to pay by reason of any errors, mistakes or omissions in any such abstracts of title, to any and all persons purchasing such abstract from such recorder. And such county shall reimburse any and all persons purchasing any such abstract of title from such recorder, for any and all losses or damages sustained by such purchaser or purchasers on account of the error, mistake or omission aforesaid.

§ 4. Five per cent of all fees collected by such recorder under the provisions of this act, shall be paid by such recorder to the county treasurer of his county, for the purpose of an indemnity fund, until the said fund shall reach the sum of one hundred thousand dollars (\$100,000), when the payments thereto shall be reduced to two and one-half per cent, and so continue while the sum of one hundred thousand dollars (\$100,000) or more remains in said fund; and whenever, at any time, it shall fall below said sum, the payments of five per cent as above provided, shall be made. It shall be the duty of the treasurer to invest all of said funds, principal and income, in his hands from time to time, if not immediately required for payment of indemnities, and report annually to the county court the condition and income thereof. All investments of the fund or any part thereof shall be made with the approval of said court by order entered of record. The said fund shall be invested only in the bonds or securities of the United States, or of this State, or counties or other municipalities of this State. Said fund shall be held to satisfy judgments obtained against the county for losses or damages as aforesaid, and payment therefrom shall be made only upon order of the county board.

§ 5. That an act entitled, "An act to authorize recorders of deeds in counties where recorders of deeds are elected, to keep abstract

books, to make abstract of title, and fixing the fees and compensation therefor," approved June 16, 1887, in force July 1, 1887, be, and is hereby repealed.

APPROVED May 14, 1903.

REPLEVIN.

ACTION IN REPLEVIN.

§ 1. Amends section 4, act of 1874.

Approved May 15, 1903.

§ 4. Action—how brought—affidavit.

AN ACT to amend section 4 of an act entitled "An act to revise the law in relation to replevin," approved Feb. 9, 1874, and in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 4 of an act entitled "An act to revise the law in relation to replevin," approved February 9, 1874, and in force July 1, 1874, be amended so as to read as follows:

§ 4. The person bringing such action shall, before the writ issues, file with the clerk of the court in which the action is brought, or with the justice of the peace before whom the suit is commenced, an affidavit showing that the plaintiff in such action is the owner of the property described in the writ and about to be replevied, or that he is then lawfully entitled to the possession thereof, and that the property is wrongfully detained by the defendant, and that the same has not been taken for any tax assessment, or fine levied by virtue of any law of this State against the property of such plaintiff, or against him individually, nor seized under any execution or attachment against the goods and chattels of such plaintiff liable to execution or attachment, nor held by virtue of any writ of replevin against such plaintiff.

APPROVED May 15, 1903.

REVENUE.

BANKS AND BANK STOCK—ASSESSMENT OF.

§ 1. Amends sections 30 and 35, act of 1872.

§ 30. Banks other than National or
State banks—how assessed.

§ 35. Holders of any kind of bank
stock—how assessed.

Approved May 15, 1903.

AN ACT to amend sections thirty (30) and thirty-five (35) of an act entitled, "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872, as amended by act approved March 10, 1901, in force July 1, 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections thirty (30) and thirty-five (35) of an act entitled, "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended by act approved March 10, 1901, in force July 1, 1901, be amended to read as follows:

§ 30. Every bank (other than banks incorporated under the banking laws of this State or of the United States), banker, broker or stock jobber, shall, at the time fixed by this act for listing personal property, make out and furnish the assessor a sworn statement showing: First, the amount of money on hand or in transit. Second, the amount of funds in the hands of other banks, bankers, brokers or others, subject to draft. Third, the amount of checks or other cash items; the amount thereof not being included in either of the preceding items. Fourth, the amount of bills receivable, discounted or purchased, and other credits, due or to become due, including accounts receivable, and interest accrued but not due, and interest due and unpaid. Fifth, the amount of bonds and stocks of every kind, and shares of capital stock or joint stock of other companies or corporations, held as an investment, or any way representing assets. Sixth, all other property appertaining to said business, other than real estate (which real estate shall be listed and assessed as other real estate is listed and assessed under this act). Seventh, the amount of all deposits made with them by other parties. Eighth, the amount of all accounts payable other than current deposit accounts. Ninth, the amount of bonds and other securities exempt by law from taxation, specifying the amount and kind of each, the same being included in the preceding fifth item. The aggregate amount of the first item shall be listed as moneys. The amount of the sixth item shall be listed the same as other similar personal property is listed under this act. The aggregate amount of the seventh and eighth items shall be deducted from the aggregate amount of the second, third and fourth items of said statement and the amount of the remainder, if any, shall be listed as credit. The aggregate amount of the ninth item shall be deducted from the aggregate amount of the fifth item of such statement, and the remainder shall be listed as bonds or stocks.

§ 35. The stockholders of every kind of incorporated bank located within this State, whether such bank has been organized under the banking law of this State, or of the United States, shall be assessed and taxed upon the value of their shares of stock therein, in the county, town, district, village or city where such bank or banking association is located, and not elsewhere, whether such stockholders reside in such place or not. The value of such shares of stock for purpose of taxation, shall be ascertained by deducting from the value of all the shares of the capital stock of such bank, the fair cash value of the real estate owned by such bank or banking association situated in the county in which such bank or banking association is located as determined by the assessor. Such shares shall be listed and assessed with regard to the ownership and value thereof as they existed on the first day of April annually, subject, however, to the restriction, that taxation of such shares shall not be at a greater rate than is assessed upon any other moneyed capital in the hands of individual citizens of this State, in the county, town, district, village or city where such bank is located. The shares held in this State, of capital stock of National banks not located in this State, shall not be required to be listed under the provisions of this act.

APPROVED May 15, 1903.

COUNTY ASSESSOR AND SUPERVISOR OF ASSESSMENTS.

§ 1. Amends sections 1 and 2, act of 1898.

Approved May 15, 1903.

§ 1. County assessor—salary.

§ 2. Supervisor of assessments—
deputies — compensation —
duties—penalty—township as-
sessors—classification.

AN ACT to amend sections one (1) and two (2) of an act entitled, "An act for the assessment of property and providing the means therefor, and to repeal a certain act therein named," approved February 25, 1898, in force July 1, 1898.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and two (2) of "An act for the assessment of property and providing the means therefor, and to repeal a certain act named therein," approved February 25, 1898, in force July 1, 1898, be amended to read as follows:

§ 1. That in counties not under township organization the county treasurer shall be *ex officio* county assessor, and he shall receive as compensation for his services as county assessor the sum of five hundred dollars (\$500) per annum: *Provided*, that in counties having a population of less than 125,000 and over 50,000 he shall receive the sum of one thousand dollars (\$1,000) per annum.

§ 2. In counties under township organization of less than 125,000 inhabitants, the county treasurer shall be *ex officio* supervisor

of assessments in his county, and shall receive as compensation for his services as supervisor of assessments the sum of one thousand dollars (\$1,000) per annum: *Provided*, that in counties having a population of less than 45,000 he shall receive the sum of five hundred dollars (\$500) per annum. He shall have a suitable office, to be provided and furnished by the county board, in which he shall keep, subject to the inspection of all persons who shall desire to consult the same, the assessment books returned to him as directed by law. He shall keep his office open for business from 9 o'clock a. m. to 5 o'clock p. m. of every day except Sundays and legal holidays. He may, by and with the advice and consent of the county board, appoint necessary deputies and clerks, their compensation to be fixed by the county board and paid by the county. The supervisor of assessments shall, on or before the first day of April in each year, assemble all assessors and their deputies for consultation, and shall give such instructions to them as shall tend to a uniformity in the action of the assessors and deputy assessors in his county. Any assessor or deputy assessor who shall wilfully refuse or neglect to observe or follow the direction of the supervisor of assessments, which shall be in accordance with law, shall, upon conviction thereof in any court of competent jurisdiction, for each offense be fined not less than fifty dollars nor more than five hundred dollars, or be confined in the county jail not exceeding six months, in the discretion of the court. In counties under township organization where a town assessor shall be unable alone to perform all the duties of his office, he may, by and with the advice and consent of the town board of auditors first obtained, appoint one or more suitable persons to act as deputies to assist him in making the assessment. The compensation of the township assessors shall be as follows: In townships containing not less than five thousand (5,000) inhabitants they shall receive not less than five dollars (\$5) nor more than ten dollars (\$10) per day: *Provided*, that in townships containing more than fifteen thousand (15,000) inhabitants, additional compensation may be allowed, making their entire compensation for making the assessment a sum not exceeding one thousand dollars (\$1,000), in townships containing less than five thousand (5,000) inhabitants they shall receive not less than two and one-half dollars (\$2.50) nor more than five dollars (\$5) per day; necessary deputy assessors shall receive not exceeding five dollars (\$5) per day. The compensation as herein provided shall be fixed by the board of town auditors and shall be based upon the time actually employed in the making of such assessment, and such assessors and deputies shall make affidavit of the time so employed. Population as herein used shall be deemed to be the population of such townships as ascertained by the last preceding federal and school census.

APPROVED, May 15, 1903.

DUPLICATE ASSESSMENT LISTS.

§ 1. Amends section 10, act of 1898.

Approved May 14, 1903.

§ 10. Assessment books shall be made up before April 1, 1904, by county clerks—subsequent assessments—annual lists—duplication of lists.

AN ACT to amend section 10 of "An act for the assessment of property and providing the means therefor, and to repeal a certain act therein named," approved Feb. 25, 1898, in force July 1, 1898.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 10 of "An act for the assessment of property and providing the means therefor," approved February 25, 1898, in force July 1, 1898, be amended to read as follows:

§ 10. The county clerk shall, before the first day of April in the year nineteen hundred and four (1904), and every fourth year thereafter, make up in books to be provided for that purpose, the list of lands or lots to be assessed for taxes in the manner provided in the general revenue law. He shall also annually before the first day of April, make up a list of lands and lots which are taxable or which shall become taxable for the first time and which are not already listed, and a list of lands and lots which have been subdivided and not listed by the proper description. Such lists shall be made up in the manner in which the county clerk is required by the general revenue law to make such lists and shall upon the order of the board of county commissioners or board of supervisors of any county be made up in duplicate.

APPROVED May 14, 1903.

GENERAL LEVY FOR STATE PURPOSES.

§ 1. Revenue per annum, \$4,500,000—State school fund, per annum, \$1,000,000.

§ 2. Computation and certification of rates.

Approved May 15, 1903.

AN ACT to provide for the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be raised, by levying a tax by valuation upon the assessed taxable property of the State, the following sums for the purposes hereinafter set forth:

For general State purposes to be designated "revenue fund," the sum of four million five hundred thousand (4,500,000) dollars upon the assessed value of the property for the year A. D., 1903; four million five hundred thousand (4,500,000) dollars upon the assessed value of property for the year A. D. 1904; and for State school purposes, to be designated "State school fund," the sum of one million

(1,000,000) dollars upon the assessed taxable property for the year A. D. 1903, and the sum of one million (1,000,000) dollars upon the assessed taxable property for the year A. D. 1904, in lieu of the two mill tax.

§ 2. The Governor, Auditor and Treasurer shall annually compute the several rates per cent required to produce not less than the above amounts, anything in any other act providing a different manner of ascertaining the amount of revenue required to be levied for State purposes to the contrary notwithstanding, and when so ascertained, the Auditor shall certify to the county clerk the proper rates per cent therefor, and also such definite rates for other purposes as are now, or may hereafter be provided by law, to be levied and collected as State taxes, and all other laws and parts of laws in conflict with this act, are hereby repealed.

APPROVED MAY 15, 1903.

SALE OF LANDS FOR DELINQUENT TAXES.

§ 1. Amends sections 207, 220 and 222, act of 1872.

§ 207. Certificate of purchase—form—assignment.

§ 220. Deeds of conveyance—form—fee.

§ 222. Documents to be filed by county clerk as evidence.

Approved May 13, 1903.

AN ACT to amend sections 207, 220 and 222 of an act entitled, "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872. (Said section 220 as amended by act approved May 3, 1873.)

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 207, 220 and 222 (said section 220 as amended by act approved May 3, 1873) of an act entitled "An act for the assessment of property, and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, be, and the same are hereby, amended to read as follows:*

§ 207. The county clerk shall make out and deliver to the purchaser of any lands or lots sold as aforesaid, a certificate of purchase, to be countersigned by the collector, describing the land or lots sold as the same was described in the delinquent list, date of such sale, the amount of taxes, special assessments, interest and cost for which the same was sold, and that payment has been made therefor. If any person shall become the purchaser of more than one tract or lot, he may have the whole, or one or more of them, included in one certificate. Such certificate of purchase shall be assignable by endorsement, and an assignment thereof shall vest in the assignee or his legal representatives, all the right and title of the original purchaser: *Provided*, that said clerk shall include, in such certificate of purchase, not to exceed one lot, block, tract or piece of land as listed, assessed and sold in one description, except in cases where such lot, block, tract or piece of land is owned by one party or person.

§ 220. When any person shall hold more than one certificate of purchase at the same sale, and for the same year's tax or special assessment, the clerk shall, on the request of the holder of such certificate, include as many tracts or lots described therein in the deed of conveyance as such person may desire, and for which deed the county clerk shall have a fee of 50 cents for each certificate embraced therein: *Provided*, that no greater fee than \$3 shall be charged upon any one deed: *Provided, further*, that said clerk shall include in such deed not to exceed one lot, block, tract or piece of land as listed, assessed and sold in one description, except in cases where such lot, block, tract or piece of land is owned by one party or person.

§ 222. County clerks shall record as evidence upon which deeds are issued, the application, all affidavits and notices filed with the application, the certificate of sale, and all other documents and papers filed in compliance with law, and be entitled to the same fee therefor, that may be allowed by law for recording deeds.

APPROVED May 13, 1903.

TOWNSHIP ASSESSORS—DUTIES AND COMPENSATION.

§ 1. Township assessors to follow instruction of supervisor of assessments—compensation of assessors prescribed.

Approved April 27, 1903.

AN ACT to amend an act entitled, "*An act for the assessment of property and providing the means therefor, and to repeal a certain act therein named,*" approved February 25, 1898, and in force February 25, 1898.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an act entitled "*An act for the assessment of property and providing the means therefor, and to repeal a certain act therein named,*" approved February 25, 1898, in force February 25, 1898, be, and the same is hereby, amended to read as follows:

§ 2. In counties under township organization of less than 125,000 inhabitants, the county treasurer shall be *ex officio* supervisor of assessments in his county. He shall have a suitable office, to be provided and furnished by the county board, in which he shall keep, subject to the inspection of all persons who shall desire to consult the same, the assessment books returned to him as directed by law. He shall keep his office open for business from 9:00 o'clock a. m. to 5:00 o'clock p. m. of every day, except Sundays and legal holidays. He may, by and with the advice and consent of the county board, appoint necessary deputies and clerks, their compensation to be fixed by the county board and paid by the county. The supervisor of assessments shall, on or before the first day of April in each year, assemble all assessors and their deputies for consultation, and shall give such instruction to them as shall tend to a uniformity in the action of the assessors and deputy assessors in his county. Any as-

essor or deputy assessor who shall wilfully refuse or neglect to observe or follow the directions of the supervisor of assessments, which shall be in accordance with law, shall, upon conviction thereof, in any court of competent jurisdiction, for each offense be fined not less than fifty dollars nor more than five hundred dollars, or be confined in the county jail not exceeding six months, in the discretion of the court. In counties under township organization, where a town assessor shall be unable alone to perform all the duties of his office, he may, by and with the advice and consent of the town board of auditors first obtained, appoint one or more suitable persons to act as deputies to assist him in making the assessment. The compensation of the township assessors shall be as follows: In townships containing not less than five thousand (5,000) inhabitants they shall receive not less than five dollars (\$5) nor more than ten dollars (\$10) per day: *Provided*, that in townships containing more than fifteen thousand (15,000) inhabitants and not exceeding fifty thousand (50,000) inhabitants, additional compensation may be allowed, making their entire compensation for making the assessment a sum not exceeding one thousand (1,000) dollars; and in townships containing more than fifty thousand (50,000) inhabitants, and not exceeding one hundred and twenty-five thousand (125,000) inhabitants, the assessor shall receive the sum of two thousand dollars (\$2,000) per year as his compensation for making the assessment. In townships containing less than five thousand (5,000) inhabitants they shall receive not less than two and one-half dollars (\$2.50) per day, nor more than five dollars (\$5) per day. Necessary deputy assessors shall receive not exceeding five (5) dollars per day. The compensation as herein provided shall be fixed by the town board of auditors and shall be based upon the time actually employed in the making of such assessment, and such assessors and deputy assessors shall make affidavit of the time employed. Population as herein used shall be deemed to be the population of such township as ascertained by the last preceding federal or school census. In townships containing more than fifty thousand (50,000) inhabitants, and not exceeding one hundred and twenty-five thousand (125,000) inhabitants, the town board of auditors shall provide a suitable office for the township assessor and furnish the same with the necessary furniture, said office to be kept open for the transaction of business from nine o'clock a. m. to five o'clock p. m. of every day, except Sundays and legal holidays. The said township assessor shall keep in such office such books as he is required by law to have, and the same shall be open to inspection by all persons who may desire to consult the same.

APPROVED April 27, 1903.

ROADS AND BRIDGES.

AUTOMOBILES—SPEED ON STREETS AND HIGHWAYS REGULATED.

§ 1. Speed limited to 15 miles per hour—exception.

§ 2. Frightening of horses.

§ 3. Penalty.

§ 4. Evidence in case of action.

§ 5. Repeal.

Approved May 13, 1903.

AN ACT to regulate the speed of automobiles and other horseless conveyances upon the public streets, roads and highways of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person or persons to drive, run, conduct or propel any automobile or any other conveyance of a similar type or kind used for the purpose of transporting or conveying passengers or freight, or any other purposes, whether said automobile or conveyance or such other vehicle is propelled by steam, gasoline or electricity, or any other mechanical power, at a rate of speed in excess of 15 miles per hour upon any road or highway in the State of Illinois "or any other rate of speed established by ordinance of any city or village of said State, upon any street within such city [or] village:" *Provided*, that nothing in this section contained shall prohibit or prevent the running of such automobiles, or vehicles at a greater rate of speed than 15 miles per hour upon such streets within incorporated cities or villages, as may be set apart for use of such automobiles and other conveyances, and upon which said cities or villages may, by ordinance, permit a greater or require a less rate of speed than herein specified.

§ 2. Whenever it shall appear that any horse driven or ridden by any person, upon any of said streets, roads or highways is about to become frightened by the approach of any such automobile or vehicle, it shall be the duty of the person driving or conducting such automobile or vehicles to cause the same to come to a full stop, until such horse or horses have passed.

§ 3. Any person or persons violating the provision of the foregoing section one (1) or two (2) shall upon conviction, be sentenced to pay a fine of not less than twenty-five (25) dollars nor more than two hundred (200) dollars, and may be confined in the county jail not to exceed three (3) months, or both, in the discretion of the court.

§ 4. In any action brought to recover any damages, either to person or property caused by running such automobiles or vehicles at a greater rate of speed than designated in section one (1), the plaintiff or plaintiffs shall be deemed to have made out a *prima facie* case, by showing the fact of such injury, and that such person or

persons driving such automobiles or vehicles was, at the time of the injury, running the same at a speed in excess of that mentioned in section one (1).

§ 5. All acts, and part [parts] of acts in conflict are hereby repealed.

APPROVED May 13, 1903.

GOOD ROADS COMMISSION.

§ 1. Commission—appointment—how constituted—duties—report—revision of present road laws.

§ 3. Appropriates \$5,000—how drawn.

Approved May 15, 1903.

§ 2. Commission shall serve without pay—term of office.

AN ACT to provide for appointment of a good roads commission, and to make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be appointed by the Governor a commission to be known as the "Good Roads Commission," to be composed of three persons, one of whom shall be a civil engineer experienced as a scientific road builder; one of whom shall have been a highway commissioner in Illinois; and one business man of high standing. It shall be the duty of this commission to investigate the various problems of road building in Illinois, such as the best and most economical native materials, the best system of road drainage, the best and most practicable methods by which the burden of costs may be equitably distributed among all the people, such as Federal, State and county aid, convict labor, etc., etc. The results of the investigations and studies of the commission shall be embodied in a report to the next General Assembly to be accompanied by the form of a bill for an act to amend the present road laws of the State, so as to conform to the present advanced thought and requirements on the subject of road building.

§ 2. Such commission shall receive no compensation for its services other than the necessary and legitimate expenses incurred by it in the discharge of its official business. The powers and expenses of this commission shall cease at the expiration of two years from the time of its appointment.

§ 3. The sum of five thousand dollars, or such part there [thereof] as is necessary, is hereby appropriated out of the State Treasury, for the expenses of the said commission.

The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein appropriated on presentation of proper vouchers, certified by said commission, and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 15, 1903.

INCREASE OF TAX RATE FOR ROAD PURPOSES.

§ 1. Amends section 14, act of 1883.

Approved May 15, 1903.

§ 14. Additional levy—how made.

AN ACT entitled, "*An act to amend section 14 of an act entitled, 'An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named,' approved June 23, 1883, in force July 1, 1883, as amended by an act approved May 11, 1901, in force July 1, 1901.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 14 of an act entitled, "*An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named,' approved June 23, 1883, in force July 1, 1883, as amended by an act approved May 11, 1901, in force July 1, 1901, be, and the same is hereby, amended to read as follows:*

§ 14. If, in the opinion of the commissioners, a greater levy is needed in view of some contingency, they may certify the same to the board of town auditors and the assessor, a majority of whom shall be a quorum, and with the consent of a majority of this entire board given in writing, an additional levy may be made of any sum not exceeding forty cents on the one hundred dollars of the taxable property of the town.

APPROVED May 15, 1903.

PRIVATE ROADS ESTABLISHED BY PETITION.

§ 1. Amends section 54, act of 1883.

Approved May 14, 1903.

§ 54. Private roads established by petition—damages fixed by jury—payment by parties benefited—to whom paid—appeal—such roads on section lines.

AN ACT to amend section 54, chapter 121, of an act entitled, "*An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named,' approved June 23, 1883, in force July 1, 1883.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 54 of chapter 121 of said act be amended so as to read as follows:

§ 54. PRIVATE ROADS.] Roads for private and public use of the widths of three rods or less, may be laid out from one dwelling or plantation of an individual to any public road, or from one public road to another, or from a lot of land to a public road, or from a lot of land to a public water-way, on petition to the commissioners by any person directly interested. The commissioners, on receiving such petition shall have power to lay out the road as asked for

therein, to which end they shall proceed and examine into the merits of the case, and shall be governed in their proceedings by the rules and regulations in this act in relation to public roads. The jury shall consider the damages that may result to parties from said proposed road, and shall assess the damages to each individual owner of lands affected thereby. The amount of such damages shall be paid by the persons benefited thereby, to the extent and in proportion that they are benefited, to be determined and declared by the jury. The remainder of the amount of damages over and above that to be paid by the parties as aforesaid, shall be paid by the town as in other cases. The amount of damages to be paid by individuals shall be paid to the parties entitled thereto, before the road shall be opened for use. An appeal may be taken on the question of the propriety and necessity of such road, as in other cases: *Provided*, that in all cases where such petition prays for a road on any section line, that the expenses and damages incident thereto, shall be borne and paid by the town as in other cases.

APPROVED May 14, 1903.

TAXES IN COUNTIES UNDER TOWNSHIP ORGANIZATION.

§ 1. Amends section 119, act of 1883.

§ 119. Road and bridge tax—levy—extension — payment — disposition of tax — provision as to cities of 35,000.

§ 2. Emergency.

Approved May 13, 1903.

AN ACT to amend section 119 of chapter 121 of an act entitled, "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of an act therein named," approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 119 of chapter 121 of an act entitled, "An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of an act therein named," approved June 23, 1883, in force July 1, 1883, be, and the same is hereby amended to read as follows:

§ 119. TAX OF TOWN OR VILLAGE, ETC.—HOW PAID—HOW EXTENDED.] The highway commissioners of each town shall, annually, ascertain as near as practicable, how much money must be raised on real, personal and railroad property for the making and repairing of bridges, the payment of damages by reason of the opening, altering and laying out of new roads and ditches, the purchase of necessary tools, implements and machinery for working roads, the purchase of the necessary material for building or repairing or draining roads and bridges, the pay of the overseer of highways during the ensuing year, and for the payment of all outstanding orders drawn by the commissioners on their treasurer, commencing on Tuesday next preceding the annual meeting of the county board in September, which tax shall be extended on the tax books, according to the assessment

of the current year; and shall levy a tax on all the real, personal and railroad property in said town, not exceeding 40 cents on the one hundred dollars; and they shall give to the supervisor of the township, and in Cook county to the county board, a statement of the amount necessary to be raised, and the rate per cent of taxation, signed by said commissioners, or a majority of them, on or before the Tuesday next preceding the annual September meeting of the board of supervisors, or the county board of Cook county, who shall cause the same to be submitted to said board for their action at such September meeting of said board: *Provided*, that if the commissioners of highways, or any three legal voters, shall give notice by posting notices in at least three of the most public places of the town, at least ten days before the annual meeting, that a larger amount of money will be required for the purpose of constructing or repairing roads or bridges in their town than can be realized from the real, personal and railroad tax authorized by law to be assessed by the commissioners, the legal voters present at such meeting may authorize an additional amount to be raised by tax, not exceeding forty cents on each one hundred dollars valuation, and said board shall cause the same to be extended as one tax on the collector's books of said town, to be collected as other taxes, and when collected shall be paid to the treasurer of the commissioners by the collector as fast as the same is collected, except such rate per cent as shall be allowed for collecting the same: *Provided*, that one-half of said tax required to be levied by this section on property lying within an incorporated village, town or city, in which the streets and alleys are under the care of the corporation, shall be paid over to the treasurer of such village, town or city, to be appropriated for the improvements of roads, streets and bridges, either within or without said village, town or city, and within the township, under the direction of the corporate authorities of such village, town or city: *And, provided further*, that when any of said tax is expended beyond the limits of said, village, town, or city, it shall be with the consent of the road commissioners of the town: *Provided, further*, that in all cities of thirty-five thousand (35,000) inhabitants or upwards, all of said tax required to be levied and collected under this section, within the limits of such city, shall be paid over to the treasurer of such city for city purposes.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect from and after its passage.

APPROVED May 13, 1903.

SCHOOLS.

"BIRD DAY"—OBSERVATION OF BY SCHOOLS.

- § 1. "Bird day" instituted—Governor's proclamation—exercises in schools and elsewhere.
Approved May 16, 1903.

AN ACT entitled, "*An act to encourage the protection of wild birds.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor shall, annually, in the spring, designate by proclamation, a "Bird Day," (which shall be the same day proclaimed by the Governor as "Arbor Day," as provided by an act entitled, "*An act to encourage the planting of trees,*" approved June 10, 1887, in force July 1, 1887), to be observed throughout the State as a day on which to hold appropriate exercises in the public schools and elsewhere tending to show the value of wild birds and the necessity for their protection, thus contributing to the comforts and attractions of our State.

APPROVED May 16, 1903.

BOARDS OF EDUCATION—ELECTION IN CERTAIN DISTRICTS.

- § 1. Elections for school boards in certain cities of 35,000 population. Approved May 15, 1903.

AN ACT to provide for the election of boards of education in certain districts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all school districts in this State, having a population of over 35,000 by the last Federal census, existing by virtue of any special charter, where the board of directors or board of education is elected or appointed by the common council of the city, of which school district such city may form the whole or a part, and where there are no provisions in the special charter creating such school district, for the election of a board of directors or board of education, there shall be elected hereafter in each of said school districts, in lieu of the present governing body, a board of education, to consist of seven members, to be elected at the same time and in the same manner, as provided by the general school law for the election of boards of education in school districts having a population of not less than one thousand and not more than one hundred thousand inhabitants. Such board of education, when elected and qualified, shall have all the powers of trustees of schools in school townships. It shall also have all the powers of boards of directors, and in addition thereto, all the powers of boards of education elected by virtue of the general school law of this State.

APPROVED May 15, 1903.

BOARDS OF EDUCATION—POWERS AND DUTIES.

§ 1. Amends section 22, article 6, act of 1889. | Approved May 13, 1903.

§ 22. Item 12 added authorizing use
of assembly halls and class
rooms for lectures, etc.

AN ACT to amend section 22 of article 6 of an act entitled, "*An act to establish and maintain a system of free schools,*" in force May 21, 1889, by adding to said section 22 of article 6 of said act, a paragraph to be numbered twelfth.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 22 of article 6 of an act entitled, "*An act to establish and maintain a system of free schools,*" in force May 21, 1889, be, and hereby is amended by adding to said section 22 of article 6 of said act, a paragraph to be numbered twelfth, so that said section 22 of said article 6 of said act shall read as follows, to-wit:

§ 22. The said board of education shall have power,

First—To furnish schools with the necessary fixtures, furniture and apparatus.

Second—To maintain, support and establish schools, and supply the inadequacy of the school funds for the salaries of the school teachers from school taxes.

Third—To hire building or rooms for the use of the board.

Fourth—To hire buildings or rooms for the use of schools.

Fifth—To employ teachers and fix the amount of their compensation.

Sixth—To prescribe the school books to be used, and the studies in the different schools.

Seventh—To lay off, and divide the city into school districts, and from time to time alter the same and create new ones, as circumstances may require, and generally to have and possess all the rights, powers and authority required for the proper management of schools, with power to enact such ordinances as may be deemed necessary and expedient for such purpose.

Eighth—To expel any pupil who may be guilty of gross disobedience or misconduct.

Ninth—To dismiss and remove any teacher whenever, in their opinion, he or she is not qualified to teach, or whenever, from any cause the interests of the school may, in their opinion, require such removal or dismissal.

Tenth—To apportion the scholars to the several schools.

Eleventh—To lease school property, and to loan moneys belonging to the school fund.

Twelfth—To grant the use of assembly halls and class rooms, when not otherwise needed, including light, heat and attendants, for public lectures, concerts, and other educational and social interests free of cost, but under such provisions and control, as they may see fit to impose.

APPROVED May 13, 1903.

COMPULSORY ATTENDANCE.

§ 1. Amends act of 1897.

§ 1. Children from 7 to 14 must attend school—exceptions.

§ 2. Penalty for violation of section 1.

§ 4. Penalty for false statements.

Approved May 13, 1903.

AN ACT to amend section one (1), two (2) and four (4) of an act entitled, "An act to promote attendance of children in schools, and to prevent truancy," approved June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections (1), two (2) and four (4) of an act entitled, "An act to promote attendance of children in school, and to prevent truancy," approved June 11, 1897, in force July 1, 1897, be, and the same are hereby, amended so as to read as follows:

§ 1. Every person, having control of any child between the ages of seven (7) and fourteen (14) years, shall annually cause such child to attend some public or private school, for the entire time during which the school attended is in session, which period shall not be less than one hundred and ten days of actual teaching: *Provided*, that this act shall not apply in any case where the child has been, or is being otherwise instructed for a like period of time in each and every year in the elementary branches of education by a person or persons competent to give such instruction, or whose physical or mental condition renders his or her attendance impracticable or inexpedient, or who is excused for temporary absence for cause, by the principal or teacher in charge of the school which said child attends.

§ 2. For every neglect of such duty prescribed by section 1 of this act, the person, so offending, shall forfeit to the use of the public schools of the city, town or district in which such child resides, a sum not less than five dollars (\$5) nor more than twenty dollars (\$20) and costs of suit, and shall stand committed, until such fine and cost of suit are fully paid.

§ 4. Any person having control of a child, who, with intent to evade the provisions of this act, shall make a false statement concerning the age of such child, or the time such child has attended school, shall, for such offense, forfeit a sum of not less than three dollars (\$3) nor more than twenty dollars (\$20) for the use of the public schools of such city, town, village or district.

APPROVED May 13, 1903.

SCHOOL EMPLOYEES' PENSION FUND.

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| <p>§ 1. Pension fund—creation of.</p> <p>§ 2. "Employé" defined.</p> <p>§ 3 City treasurer custodian of fund—books and accounts, how kept—bond of treasurer.</p> <p>§ 4. Trustees of fund—election—powers and duties.</p> <p>§ 5. Constitution of board—members <i>ex-officio</i> and elective.</p> <p>§ 6. Powers and duties of board.</p> <p>§ 7. Retirement for age and service.</p> <p>§ 8. Benefit to widow of deceased contributor to fund.</p> <p>§ 9. Retirements under act of 1895.</p> <p>§ 10. Separate fund for contributors under act of 1895.</p> | <p>§ 11. Voluntary retirements for service.</p> <p>§ 12. Retirements for disability.</p> <p>§ 13. Payments to dismissed contributors to fund.</p> <p>§ 14. Monthly reports of president and secretary to treasurer.</p> <p>§ 15. Annuities exempt from attachment.</p> <p>§ 16. Appointment and dismissal of school employés.</p> <p>§ 17. Violators of act guilty of misdemeanor—penalty.</p> <p>§ 18. Repeal.</p> |
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Approved May 15, 1903.

AN ACT entitled, "*An act to provide for the formation and disbursement of a public school employés' pension fund in cities having a population exceeding one hundred thousand inhabitants.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the board of education in cities having a population exceeding one hundred thousand inhabitants shall have power, and it shall be its duty, to create a public school employee's pension fund, which shall consist of amounts retained from the salaries or wages of employés, as hereinafter provided, which amounts shall be deducted in equal monthly installments from such salaries or wages, at the regular time or times of the payment thereof, and all moneys derived from any and all other sources whatever.

§ 2. The term "employee" under this act shall include only engineers, janitors and office employés in the employ of said board of education, earning over forty-nine dollars per month, and this act shall apply only to those employees who voluntarily accept and agree to comply with its provisions. Any employé, a part of whose salary may be set apart hereafter to provide for the fund created by this act, may be released from the necessity of making further payments to said fund, by filing a written notice of his or her desire to withdraw from complying with the provisions of this act, with the board of trustees hereinafter mentioned, which resignation shall operate and go into effect immediately upon its receipt by said board of trustees.

§ 3. The city treasurer, subject to the control and direction of the board of trustees hereinafter mentioned, shall be the custodian of said pension fund and shall secure and safely keep the same as well as all funds in his possession heretofore contributed under the provisions of any law relating to the retirement or pensioning of public school employés, and shall keep books and accounts concerning said fund, in such manner as may be prescribed by the said

board of trustees, which said books and accounts shall always be subject to the inspection of said board of trustees, or any member thereof. The city treasurer shall, within ten days after his election or appointment, execute a bond to the city, with good and sufficient sureties, in which penal sum as the said board of trustees shall direct, which said bond shall be approved by the said board of trustees, and shall be conditioned for the faithful performance of the duties of said office, and that he will safely keep and well and truly account for all moneys belonging to said pension fund, and all interest thereon, which may come into his hands as such treasurer, and that upon the expiration of his term of office, or upon his retirement therefrom for any cause, he will surrender and deliver over to his successor all unexpended moneys, with such interest as he may have received thereon, and all property which may have come into his hands as treasurer of said pension fund. Such bonds shall be filed in the office of the clerk of said city, and in case of a breach of the same, or the conditions thereof, suit may be brought on the same in the name of the said city for the use of said board of trustees, or of any person or persons injured by such breach.

§ 4. The board of education shall, in the month of September, immediately following the passage of this act, arrange for the election of a board of trustees of said pension fund, composed of six members, to be chosen as hereinafter provided, which election shall be held not later than October 30 of the same year. Said board of trustees shall have power, and it shall be its duty, to administer said fund and to carry out the provisions of this act, and for the purpose of enabling such board of trustees to perform the duties imposed and exercise the powers granted by this act, the board of trustees shall be, and is hereby declared to be, a body politic and corporate.

§ 5. The said board of trustees shall consist of the president and secretary of the board of education and four employes contributing to said fund. The president and secretary of the board of education shall be *ex officio* members of said board of trustees, and the other members shall be elected by ballot by the employes contributing to said fund, at the time and for the terms respectively, as follows, to-wit: At the first election the contributors of said fund shall elect two of their number to serve for the term of one year, and two to serve for the term of two years, and annually thereafter said contributors shall elect two of their number to hold office for the term of two years.

§ 6. Whenever any elective member of the board of trustees shall cease to be in the employ of said board of education, his or her membership in said board of trustees shall cease. Said board of trustees shall have power and it shall be its duty: (1) To determine the amount which shall be deducted from the salaries or wages paid to employes for the benefit of said pension fund: *Provided*, the amount of such deduction shall not be less than twelve dollars nor more than forty-eight dollars per year for each employe: *And, provided further*, that no deduction shall be made from the salary or wages of

any employé who receives less than forty-nine dollars per month, nor shall any one who receives a salary of not less than forty-nine dollars per month participate in said fund.

(2) To make all payments from said pension fund, pursuant to the provisions of this act.

(3) To administer and invest in their discretion any part of the said pension fund remaining in the hands of said treasurer.

(4) To pay all necessary expenses in connection with the administration of said fund, and carrying out the provisions of this act for which provision is not otherwise made.

(5) To determine the amount to be paid as benefits or annuities under this act, and to increase or reduce the same in their discretion: *Provided*, that no benefit or annuity shall exceed six hundred dollars per year.

(6) To take by gift, grant or bequest, or otherwise, any money or property of any kind, and hold the same for the benefit of said fund.

(7) To purchase, hold, sell or assign and transfer any of the securities in which said fund or any part thereof, may be invested.

(8) To exempt any of said employes from the operation of this act, whenever in their judgment the interests of said fund shall render such exemption necessary and advisable.

(9) To fill any vacancy or vacancies in said board of trustees until the next annual election, as hereinbefore provided.

(10) To make and establish all such rules for the transaction of their business and such other rules, regulations and by-laws as may be necessary for the proper administration of said fund committed to their charge, and the performance of the duties imposed upon them.

(11) They shall keep full and complete record of their meetings and of the receipts and disbursements on account of such fund, and also complete lists of all contributors to said fund, and of all annuitants receiving benefits therefrom, and such other records as in their judgment shall seem necessary, and shall make and publish annually a full and complete statement of their financial transactions.

(12) Said board shall hear and determine all applications for benefits under this act, and shall have power to suspend any annuity whenever, in their judgment, the disability of such annuitant has ceased, or for other good cause.

(13) To compromise, settle or liquidate any claim against said fund, by surrendering the contribution or contributions of any individual or individuals, and make the necessary rules, prescribing the terms under which such settlements may be made, providing there shall be no rule allowing restitution of deductions from salaries after the contributor shall have become eligible to an annuity under this act.

§ 7. Any contributor to said fund who shall have attained the age of fifty-five years, and shall have been in the service of said board of education for a period of ten years, and shall have contributed to said fund for the same period, shall have the right to retire and become a beneficiary under this act, and to receive such benefit or annuity from said fund as shall be determined by said board of trustees, which said benefit or annuity shall be proportionate to the amount of the contributions of such employe.

§ 8. Upon the death of any contributor who is not nor has been a beneficiary under this act, the said board of trustees may pay an amount not exceeding one year's benefit to the widow, if any, of such deceased contributor, and if there be no widow, said board of trustees may expend said amount for the benefit of the minor children, if any, of such deceased contributor.

§ 9 Any employé who has heretofore retired from service, pursuant to the provisions of an act entitled, "An act to provide for the formation and disbursement of a public school teachers' and public school employés' pension and retirement fund in cities having a population exceeding one hundred thousand inhabitants," approved May 31, 1895, in force July 1, 1895, and has contributed to the fund created by said last mentioned act, shall be entitled to such portion of the full annuity provided for under this act as the board of trustees may determine.

§ 10. All sums heretofore contributed by employés under the provisions of an act entitled, "An act to provide for the formation and disbursement of a public school teachers' and public school employés' pension and retirement fund in cities having a population exceeding one hundred thousand inhabitants," approved May 31, 1895, in force July 1, 1895, shall be set apart and held by said city treasurer as a part of the fund created by this act, and subject to the provisions of this act.

§ 11. Any person who has been an employé of said board of education for a period of twenty years or more, and is a contributor to said fund, may retire from the service of said board of education upon sixty days' notice to be given to said board of trustees (unless such notice is waived by said board of trustees), and become an annuitant under this act.

§ 12. Any person who has contributed to said fund for a period of ten years or more may retire from the service of said board of education on account of serious disability, rendering him or her unable to properly discharge his or her duties, upon one year's notice to be given to said board of trustees (unless such notice is waived by said board of trustees) and may become an annuitant under this act, and shall thereupon be entitled to receive for a period of two years (which may be extended upon proof of continued disability), such part of the annuity then allowed under the rules of said trustees, as said trustees may determine.

§ 13. Any employé who has been contributing to said fund for less than ten years, and who shall be dismissed or resign from the service of said board of education, may, upon application made within three months after the date of such dismissal or resignation, receive one-half of the total amount paid into said fund by such person so dismissed.

§ 14. The president and secretary of the board of education shall certify monthly to the treasurer all amounts deducted in accordance with the provisions of this act from the salaries paid by the board of education, which amounts, as well as all other sums contributed to said fund under the provisions of this act, shall be set apart and held by said treasurer for the purpose hereinbefore specified, subject to the order of said board of trustees, and shall be paid out upon warrants signed by the president and secretary of said board of trustees.

§ 15. All annuities granted under the provisions of this act shall be exempt from attachment and garnishment process, and no annuitant shall have the right to transfer or assign his or her annuity, either by way of mortgage or otherwise.

§ 16. All elections or appointments of employés by said board of education shall be made pursuant to the provisions of an act entitled, "An act to regulate the civil service of cities," approved and in force March 20, 1895, such election or appointment to be permanent during efficiency and good behavior, and no employé who has contributed to said fund shall be removed or discharged, except for cause, upon written charges, which shall be investigated and determined by the board of education, whose action and decision in the matter shall be final.

§ 17. Any person who shall, directly or indirectly, avoid or seek to avoid any or all of the provisions of this act, or who shall, directly or indirectly, interfere with, or obstruct the enforcement of any of the provisions of this act, shall be guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine of not less than fifty dollars, and not exceeding one thousand dollars, or by imprisonment in the county jail for a term not exceeding six months, or both such fine or imprisonment in the discretion of the court.

§ 18. All laws and parts of laws which are inconsistent with this act, or any provisions thereof, are hereby repealed.

APPROVED May 15, 1903.

SCHOOLS OR CLASSES FOR CRIPPLED CHILDREN.

§ 1. State superintendent may grant permit to establish school for crippled children.

§ 2. Annual reports of school boards to State superintendent.

§ 3. Support of such schools—pupils from adjoining counties.

§ 4. Payments by county superintendent—how made.

§ 5. Appointment of teachers—qualifications.

Approved May 13, 1903.

AN ACT authorizing school districts, managed by boards of education or directors, to establish and maintain schools or classes for crippled children in the public schools, and authorizing payment therefor from the State common schools funds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That upon application by a board of education or directors of any school district of the State to the State Superintendent of Public Instruction, he shall grant permission to such board of education or directors, and such board of education or directors, shall, thereupon, be empowered to maintain public schools, within its limits, for one or more classes, having an average attendance of not less than fifteen pupils, for instruction of crippled children over the age of six and under twenty-one years, residents of the State of Illinois.

§ 2. Such board of education or directors which shall maintain one or more schools for instruction of crippled children, shall report to the State Superintendent of Public Instruction annually, and as often as said superintendent shall direct, such facts concerning such school or schools as he may require.

§ 3. The county superintendent of schools in each county is hereby authorized and directed to apportion and pay out of the State common school fund received by such county, to the treasurer or other financial officer of such board of education, or directors, maintaining such school or schools for the instruction of crippled children, the sum of one hundred and fifty dollars for each crippled pupil, resident of such county, instructed in any such school for at least nine months during the school year, and a share of such sum proportionate to the term of instruction of any such pupil as shall be so instructed less than nine months during such year. If no such schools shall be maintained in any such county, but persons residing in such county shall attend such school in an adjoining county, with the permission of the county superintendent of the county not maintaining such school, then said superintendent shall pay to the financial officer of the board of education, or directors of the district maintaining such school, the amount above specified for each pupil attending such school in such other county.

§ 4. The sums provided in next preceding section shall be paid by such county superintendent of schools as soon as may be after the receipt by him of the State common school fund in each year, upon

satisfactory proof being made to him by the president and the secretary or clerk of such board of education or directors maintaining such school, of the number of pupils instructed in such school or schools, and their residence, and the period of time each such pupil shall have been so instructed in each school or schools for the preceding school year.

§ 5. All teachers in such schools shall be appointed by the State Superintendent of Public Instruction, upon application of the board of education, or directors of the school district maintaining such school or schools; the State Superintendent of Public Instruction to have the power to remove such teachers for cause. No person shall hereafter be appointed to teach any such class who shall not have first obtained a teacher's certificate, as provided by law, and who shall not have received specific instruction in the teaching of crippled children for a term of not less than one year.

APPROVED May 13, 1903.

STATE BOARD OF HEALTH.

REPORTS OF BIRTHS AND DEATHS.

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| <p>§ 1. Physicians and midwives shall report births—to whom made—forms furnished—duty of parent or householder.</p> <p>§ 2. Fees for reporting births.</p> <p>§ 3. Commissioners of health shall report to county clerk.</p> <p>§ 4. Physicians and midwives shall report deaths in certain cases to State Board of Health.</p> <p>§ 5. Coroners shall report deaths to State Board of Health.</p> <p>§ 6. All reports shall be made on blanks prescribed.</p> <p>§ 7. Fees for reporting deaths.</p> <p>§ 8. Commissioner of health shall report to State board.</p> | <p>§ 9. State Board of Health shall make record and transmit death certificates to county clerks.</p> <p>§ 10. Fees provided for shall be paid by county.</p> <p>§ 11. County clerk shall record certificates of of births and deaths.</p> <p>§ 12. State board shall prescribe forms and county clerks shall print blanks.</p> <p>§ 13. Violations of act a misdemeanor—penalty.</p> <p>§ 14. Disposition of fines—duty of State's attorney.</p> <p>§ 15. Repeals act of 1901.</p> |
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Approved May 6, 1903.

AN ACT requiring reports of births and deaths, and the recording of the same, and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It shall be the duty of every physician and midwife in the State of Illinois who attends the birth of a child to make a report of said birth with the name of such child and such other information as may be required by the State Board of Health, within thirty days after its occurrence in writing, to the

county clerk of the county in which the said birth takes place: *Provided*, that in cities of 50,000 or more inhabitants reports may be made to the city commissioner of health instead of the county clerk, if said commissioner of health so requests.

Such reports shall be made on blank forms prescribed by the State Board of Health, and shall contain such information as may be directed by said board in resolutions, copies of which shall be printed on the reverse of the blank forms aforesaid. When no physician or midwife has been in attendance, then it shall be the duty of the parents, [or] the householder, to make said report within the time and in the manner aforesaid.

§ 2. Every physician, midwife, parent or householder who shall comply with the foregoing provisions shall be paid for each report of birth made in the manner directed by the State Board of Health the sum of twenty-five (25) cents.

§ 3. Every city commissioner of health to whom reports of births are made shall deliver to the county clerk of the county in which the city is located, on or before the tenth day of each month, all reports of births received by him during the preceding month.

§ 4. It shall be the duty of every physician and midwife practicing in the State of Illinois to report, in writing to the State Board of Health, at Springfield, the death of any of his or her patients within thirty days after the date of said death: *Provided*, that in the case of death [deaths] which occur within the corporate jurisdiction of cities, the ordinance of which requires that the burial or removal permit shall be issued before the burial or removal of the body, and that before such permit shall be issued, a report or certificate of death shall be presented to the official by whom the permit shall be issued, no report need be made to the State Board of Health by the physician or midwife.

§ 5. It shall be the duty of the coroner to report, in writing, to the State Board of Health, any death coming under his supervision within ten days after he receives notice of said death: *Provided*, that this section shall not apply to deaths occurring within the jurisdiction of the cities referred to in section 4 of this act.

§ 6. All reports or certificates of death made by physicians, midwives or coroners, either to the State Board of Health or to a city commissioner of health or other city official, shall be made in the manner directed by the State Board of Health on the blank forms prescribed by the State board.

§ 7. Every physician, midwife or coroner who shall make a report, of death to the State Board of Health in the manner provided for in the preceding sections shall be paid for each report the sum of twenty-five (25) cents.

§ 8. It shall be the duty of the commissioner of health, or the other city or village official in the cities referred to in section 4 of this act, by whom burial or removal permits are issued, and to whom certificates or reports of death are presented, to deliver to the State

Board of Health at Springfield, on or before the tenth day of each month all certificates or reports of death presented to him during the preceding month.

§ 9. The State Board of Health shall make a record within ten days after their receipt of all certificates of death forwarded to it, and shall deliver such certificates on or before the first day of the succeeding month to the proper county clerk, with a list giving the names and addresses of the persons from whom the certificates were received.

§ 10. The fees provided for in section 2 and 7 of this act are hereby made and declared to be a charge upon the county in which said fees may accrue, and the county clerk of the respective counties shall, upon the request of any person entitled to said fees in his county, issue to such person his warrant upon the county treasurer of said county for the amount of fees due such person under this act, and the county treasurer of said county shall pay the same upon presentation out of any money belonging to the county not otherwise appropriated: *Provided*, that no payment shall be made under the provisions of section 2 and 7 of this act in the case of still birth where the period of gestation is less than seven months. It shall be the duty of the board of supervisors in counties under township organization, and the board of county commissioners in counties not under township organization, to appropriate such sums as may be necessary for said purpose.

§ 11. The county clerk of each county shall record in the manner directed by the State Board of Health all certificates of births and deaths delivered to him pursuant to law, and shall file such certificates in his office. The record of such certificates shall at all times be open to the inspection of the public without fee. Each county clerk shall also, during the first ten days of January, April, July and October of each year, render to the State Board of Health in the manner directed by said board, a full and complete report of all births reported to him during the preceding quarter.

§ 12. The State Board of Health shall prescribe such forms for reports of births and certificates of death as it may deem proper, and shall furnish a copy of each form to the county clerks of the several counties. It shall be the duty of the county clerks to have blank reports of births and certificates of death printed strictly in accordance with the forms prescribed by the State Board of Health, and furnish the same free of charge to the physicians, midwives and coroners: *Provided*, that in cities and villages the local board or department of health or the city or village clerk, as the case may be, may have printed blank certificates of death strictly in accordance with the forms prescribed by the State Board of Health, and furnish the same free of charge to physicians and midwives. No report of a birth or certificate of a death shall be made by a physician, midwife or coroner except on a blank form such as prescribed by the State Board of Health.

§ 13. Any person or persons who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof shall be fined not less than ten nor more than one hundred dollars, or shall be imprisoned in the county jail not to exceed thirty days, or shall suffer both such fine and imprisonment in the discretion of the court.

§ 14. All fines collected under the provisions of this act shall be paid into the county treasury of the county in which the suit is brought, to be used for county purposes, and it shall be the duty of the State's attorney in the respective counties to prosecute all persons violating or refusing to obey the provisions of this act.

§ 15. An act requiring reports of births and deaths and the recording of same, regulating the interment or other disposal of dead bodies, and prescribing a penalty for non-compliance with the provisions thereof, approved May 11, 1901, and in force January 1, 1902, and all acts or parts of acts in conflict with the provisions of this act, are hereby repealed.

APPROVED May 6, 1903.

STATE MILITIA.

MILITARY AND NAVAL CODE.

ARTICLE 1.

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| <p>§ 1. Liability to service.</p> <p>§ 2. Enrollment—proclamation of Governor—powers and duties of Governor—pay when in service.</p> | <p>§ 6. Regiment of infantry—how constituted.</p> <p>§ 7. Battalion of infantry—how constituted.</p> <p>§ 8. Company of infantry—how constituted.</p> |
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ARTICLE 2.

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| <p>§ 1. Illinois National Guard—what shall constitute—Illinois Naval Reserve—what shall constitute—changes in the organization—number of general officers limited—members exempt from jury duty, road labor, etc.—exemptions from execution—exemptions from arrest.</p> <p>§ 2. The Governor's staff—how constituted.</p> <p>§ 3. Adjutant General—duties enumerated—his accounts, how kept.</p> <p>§ 4. Further duties of Adjutant General—purchase of supplies—advertisements—bids—bond of bidder—defective supplies.</p> <p>§ 5. Brigade staff—how constituted—non-commissioned staff.</p> | <p>§ 9. Regiment of cavalry—how constituted.</p> <p>§ 10. Squadron of cavalry—how constituted.</p> <p>§ 11. Battalion of artillery—how constituted.</p> <p>§ 12. Battery of artillery—how constituted.</p> <p>§ 13. Band—how constituted.</p> <p>§ 14. Company of engineers—how constituted.</p> <p>§ 15. Signal corps—how constituted.</p> <p>§ 16. Medical department—how constituted.</p> <p>§ 17. Naval reserve—how constituted.</p> <p>§ 18. Divisions may be divided into battalions at discretion of Commander-in-Chief—additional officers for battalions so formed.</p> |
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- § 19. Divisions of naval forces—officers of divisions.
- § 20. Paymaster of naval forces—assistants.
- § 21. Band of musicians allowed each ship's crew.
- § 22. Certain naval officers shall be line officers.
- § 23. Senior officer shall command force in actual service.
- § 24. Naval force independent of all divisions of the land force unless temporarily attached by the Commander-in-Chief.
- § 25. Officers of naval force—election and approval.
- § 26. Examinations required before appointment.
- § 27. Examinations—how conducted.
- § 28. Examinations for petty officers.
- § 29. Officer or seaman of U. S. Navy detailed for duty with naval brigade.

ARTICLE 3.

- § 1. Officers of national guard—appointments and elections.
- § 2. Dissolution or consolidation of incomplete companies or divisions.
- § 3. Rules may be made by Commander-in-Chief.
- § 4. U. S. Army regulations govern unless otherwise provided by statute.
- § 5. Election of officers—how ordered and conducted.
- § 6. Examining boards—how constituted—duties.
- § 7. Discharge of militia officers in certain contingencies.
- § 8. Examination of officers for inefficiency.
- § 9. Constitution of such board—finding.

ARTICLE 4.

- § 1. Assignment of assistant surgeons.
- § 2. Rank of certain surgeons prescribed.
- § 3. Assistant surgeon not to lose rank by reason of assignment—dental surgeons.
- § 4. Medical officers—muster out or retirement of.

- § 5. Medical officers—tenure of office.
- § 6. Incapacitated officers—ordered before board of enquiry.
- § 7. Board of enquiry—how convened—duties.
- § 8. Hospital stewards—qualifications.
- § 9. Hospital stewards, pharmacists and apothecaries.
- § 10. Hospital corps privates—how enlisted—term of service.
- § 11. Commander of hospital corps.

ARTICLE 5.

- § 1. Drills—number specified—memorial day.
- § 2. Tours of field or camp duty authorized.
- § 3. Commanding officer's authority at encampment—sale of liquor near camp.

ARTICLE 6.

- § 1. Rifle practice—general inspector shall have charge of.
- § 2. Duties of subordinate inspectors prescribed by general inspector.
- § 3. Compensation of inspectors—rifle ranges—ammunition.

ARTICLE 7.

- § 1. Supplies issued by Adjutant General on requisition of commanding officer—supplies to be kept at armory.
- § 2. Inspection of armories, arsenals, rifle ranges, and other property—report to Adjutant General.
- § 3. Annual inspection of land and naval forces—compensation of inspecting officers—special inspections.
- § 4. Inspector general's annual report.
- § 5. Brigade inspector's report.
- § 6. Armories—command of—no arms nor equipments issued until suitable armory is provided—loaning of arms—false returns concerning property—penalty.
- § 7. Location of naval armories—the word "armory" defined.

ARTICLE 8.

- § 1. Enlistments—qualifications for—term of—minors—who not eligible.

- § 2. Re-enlistments—who are eligible.
- § 3. Enlistment papers—form of oath.
- § 4. Transfers made by commanding officers.
- § 5. Reduction to ranks for sufficient reasons.
- § 6. Dropping from roll of enlisted men.
- § 7. Taking up men dropped from roll.
- § 8. Retirement by Governor after 15 years' service.
- § 9. Discharges at end of term—for disability—for other causes—who shall issue and sign—dishonorable discharges.

ARTICLE 9.

- § 1. General court martial for trial of officers—how ordered—how constituted.
- § 2. General court martial for trial of men.
- § 3. Summary court.
- § 4. General court martial—jurisdiction of—punishments imposed by.
- § 5. Summary court martial—jurisdiction of—punishments imposed by.
- § 6. Approval of findings of courts martial.
- § 7. Witnesses may be summoned—failure to appear—fees.
- § 8. Fines imposed—how collected—default of payment.
- § 9. Confinement of military offenders in county jails.
- § 10. Dishonorable discharge of delinquents.
- § 11. Fines collected paid into military fund.
- § 12. Composition of summary courts and general courts martial.
- § 13. Acting judge advocate—how appointed.

ARTICLE 10.

- § 1. Retirement of officer after 10 years' service.
- § 2. Retirement of officer on account of age.

ARTICLE 11.

- § 1. Pay and allowance of officers and men in active service.

- § 2. Pay during encampment, field maneuver or cruise.
- § 3. Pay while on duty as witness or defendant under orders of Commander-in-Chief.
- § 4. Claim against State of legal heirs of officer or man killed while on duty.

ARTICLE 12.

- § 1. Duty of militia in quelling riots.
- § 2. Military subject to civil authority.
- § 3. Orders from civil to military officers—discretionary power of military officers.
- § 4. Obstruction or interference with militia force while on duty.
- § 5. Rioters failing to obey orders of civil or military officer guilty of a misdemeanor—penalty.
- § 6. Assault upon militia while on duty a felony—penalty.
- § 7. Authority of officer commanding militia.
- § 8. Person killed by member of military or naval force while on duty—provision concerning.
- § 9. Civil prosecutions of members of organized militia for act done in discharge of duty—defense—Attorney General's powers in premises.
- § 10. Expenses of defense provided for in § 9.

ARTICLE 13.

- § 1. Military organization leaving State with arms.
- § 2. Drilling and parading with arms prohibited—exceptions—U. S. flag.
- § 3. Violations of § 2, Art. 13—penalty.
- § 4. Military and naval property—legal use of—destruction of—penalty.
- § 5. Uniform of National Guard and Naval Reserve—who may lawfully wear—violations—penalty.
- § 6. Desertion.
- § 7. Desertion (continued)—trial—penalty.
- § 8. Deserters—duty of State's attorney concerning.
- § 9. Repeal.

Approved May 14, 1903.

AN ACT to establish a military and naval code for the State of Illinois, and to repeal all acts in conflict herewith.

SECTION 1. ENACTING CLAUSE.] *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the military code of Illinois and other laws bearing upon the military and naval forces of this State shall read as follows:

THE MILITARY AND NAVAL CODE OF ILLINOIS.

ARTICLE 1.—LIABILITY AND ENROLLMENT.

SECTION 1. All able-bodied male citizens of this State, between the ages of 16 and 45 years, except such as are expressly exempted by the laws of the United States, or are State or county officers, or on account of their profession or employment are exempted by the Commander-in-Chief, shall be subject to military duty and designated as the "Illinois State Militia."

§ 2. When it is necessary to execute the laws, suppress or repel invasion, or to quell riots, or when a requisition shall be made by the President of the United States for troops or seamen, the Governor, as Commander-in-Chief, may, by his proclamation, require the enrollment of the unorganized militia of the State, or such portion thereof as may be necessary, and he shall appoint necessary enrolling officers, and prescribe their duties, issuing all proper orders that may be required in the premises. He may designate the place of rendezvous, provide for the organization of the land forces of the militia into companies, battalions, regiments and brigades, and the naval force into divisions and ship's crews, and provide for their equipment, as the case may require. The unorganized militia, when called into active service, shall receive the same pay and allowances as is provided for like troops in the service of the United States.

ARTICLE 2.—ORGANIZATION AND EXEMPTIONS.

SECTION 1. The land force of the organized militia shall be designated as the Illinois National Guard, and shall consist of not more than twenty-four (24) battalions of infantry, one battalion of artillery, one regiment of cavalry of eight (8) troops, a company of engineers, one signal corps, a medical department and hospital corps,

The organized naval militia shall be designated as the Illinois Naval Reserve, and in time of peace shall consist of a ship's crew or complement.

The Commander-in-Chief may transfer, consolidate, muster out, disband and make such other changes in the organization of the Illinois National Guard and the Illinois Naval Reserve from time to time, as the best interests of the service may require, and shall make such brigade and regimental organizations as may be necessary for the land forces, and such squadron and ship's crew organizations as may be necessary for the naval force: *Provided*, that the number of general officers appointed to carry out such organization shall

never exceed four. Every officer, non-commissioned officer, musician, private or enlisted man of the Illinois National Guard and the Illinois Naval Reserve shall be exempt from jury duty, from payment of road labor, and head or poll tax of every description during the time he shall hold a commission as officer or be enrolled as an enlisted man in the Illinois National Guard or the Illinois Naval Reserve; the exemption from jury duty shall continue after discharge for a period equal to that honorably completed in the Illinois National Guard or Illinois Naval Reserve. The uniforms, arms and equipments of every member of the Illinois National Guard or Illinois Naval Reserve shall be exempt from all suits, distresses, executions or sales for debts or payment of taxes. The members thereof shall in all cases except treason, felony or breach of the peace, be privileged from arrest and imprisonment by civil authority while under orders in the active service of the State from the date of the issuing such orders to the time when such service shall cease.

§ 2. The staff of the Commander-in-Chief shall consist of an Adjutant General, with the rank of brigadier general, who shall be *ex officio* chief of staff; quartermaster general; commissary general, and chief of ordnance; an inspector general; a general inspector of rifle practice; a surgeon general; a judge advocate general and an assistant adjutant general, who shall assist the Adjutant General in the discharge of his duties generally, and who shall perform the duties of adjutant general in the absence of the Adjutant General from the State, or in the event of disability of the Adjutant General, each with the rank of colonel; each and all of whom shall have previously served as an officer in either the National Guard or Naval Reserve or the regular or volunteer forces of the United States; and ten aides de camp, four of whom he may appoint in any grade not above that of colonel, and all of whom shall have served in the National Guard or Naval Reserve or the regular or volunteer forces of the United States; the remaining six shall be appointed by the Governor from the commissioned officers of the Illinois National Guard and Illinois Naval Reserve in active service of grade below that of colonel, and their appointment shall operate as a commission as aides de camp, but shall not add to the actual grade of the officers so appointed. Officers so appointed as aides de camp shall not be relieved from duty with their respective organizations, but shall perform all duty pertaining thereto, except when actually on duty as aides de camp under the orders of the Governor, and shall hold such appointment as aides de camp at the pleasure of the Governor: *Provided*, that officers holding commissions as aides de camp to the Governor with the rank of colonel, pursuant to law, at the going into effect of this act, shall not thereby be rendered surplus, but may hold their commissions and appointments as aides de camp until the expiration of the term of the Governor then in office: *And, provided further*, that the six aides de camp to be appointed from the officers in active service in the Illinois National Guard and Illinois Naval Reserve

shall not be appointed until the number of aides de camp with the rank of colonel shall have been reduced to four, as provided in this section.

§ 3. DUTIES OF ADJUTANT GENERAL.] The Adjutant General shall issue and transmit all orders of the Commander-in-Chief with reference to the militia, military and naval organizations of the State, and shall keep a record of all officers commissioned by the Governor and all general and special orders and regulations, and all such matters as pertain to the organization of the State militia, the Illinois National Guard and the Illinois Naval Reserve, and perform the duties of Adjutant General, quartermaster general, commissary general and chief of ordnance. He shall have charge of the State armory, arsenal and arsenal grounds, and all military camps and rifle ranges, and shall receive and issue all ordnance and ordnance stores, clothing, camp and garrison equipage, subsistence stores and all other public property pertaining to the military and naval forces of the State, on the order of the Commander-in-Chief. The Adjutant General shall receive for his services the sum of \$3,500 per annum. The assistant adjutant general shall receive for his services the sum of \$2,000 per annum. The Adjutant General may appoint, with the approval of the Governor, an ordnance sergeant for permanent duty at the arsenal at a salary not exceeding \$800 per annum. The Adjutant General shall have charge of and carefully preserve the colors, flags, guidons and military trophies of war belonging to the State, and shall not allow the same to be loaned out or removed from their proper place of deposit. He shall furnish, at the expense of the State, all proper blank books, blanks and forms, and such military and naval instruction books as shall be approved by the Commander-in-Chief. He shall also, on or before the first day of October next preceding the regular session of the General Assembly, make out a full and detailed report of all the transactions of his office, with the receipts and expenditures of the same for the preceding two years. In preparing his account of the money paid out and expended, he will group the expenditures made from each separate appropriation under the following sub-heads or titles.

NATIONAL GUARD.

1. Armory, rent, fuel, light, janitor, etc.
2. Camp and garrison equipage, clothing and equipments.
3. Pay of officers and troops for camp duty, and other duties ordered by the Commander-in-Chief.
4. Transportation of officers and troops.
5. Subsistence of troops at each camp of instruction, practice march, or other duty ordered by the Commander-in-Chief.
6. Horse hire and forage.
7. Rifle practice, including all expenses connected therewith, except pay of officers and enlisted men and civil employes.

8. Pay of permanent salaried officers, clerks, enlisted men and civil employes.
9. Miscellaneous expenses.
10. Total expenditures.

NAVAL RESERVE.

1. Armory, rent, lights, fuel, janitor, etc.
2. Camp and garrison equipage, clothing, equipments, tools and instruments.
3. Pay of officers and men for camp or cruise duty, and other duties ordered by the Commander-in-Chief.
4. Transportation of officers and men.
5. Subsistence of officers and men at each camp of instruction or practice cruise, or other duty ordered by the Commander-in-Chief.
6. Dockage and repairs.
7. Gun and small arms practice, and expenses immediately pertaining thereto.
8. Pay of permanent salaried officers, clerks, enlisted men and civil employes.
9. Steam engineering department.
10. Miscellaneous expenses.
11. Total expenditures.

The Adjutant General shall also report the total unexpended balance of appropriation on hand, and shall also report upon such other matters at such times as shall be required by the Governor.

The Adjutant General and assistant adjutant general shall each reside at the State capital and hold their respective offices during the pleasure of the Governor.

§ 4. The Adjutant General shall direct and have charge of the purchase of all military supplies and stores; purchase of supplies and stores not exceeding \$100 in value, shall be purchased in such manner as the Adjutant General shall direct. If such purchase require an expenditure exceeding \$100, and not exceeding \$500, the Adjutant General shall procure written proposals to furnish such supplies or stores from at least three parties, and shall purchase such supplies or stores from the lowest responsible bidder.

If such purchase shall require the expenditure of a sum exceeding \$500, he shall publicly advertise for at least ten days in one or more (not exceeding four) newspapers of general circulation, published or circulated in districts where such supplies or stores are manufactured, jobbed or wholesaled, for sealed proposals for furnishing such supplies or stores, reserving the right to reject any or all proposals; such proposals shall be accompanied by samples of the stores or supplies proposed to be furnished, when the nature of such stores and sup-

plies makes it practicable so to do; such proposals shall be publicly opened by the Adjutant General at the place, day and hour designated in such advertisement.

The Adjutant General shall, if the Governor approve, make contract with the lowest responsible bidder (proposing to furnish the quality of stores or supplies called for) to furnish such stores or supplies. A copy of all advertisements, proposals and contracts shall be filed in the office of the Adjutant General.

The Adjutant General is authorized and directed to require a party who shall contract to furnish stores or supplies, or both, to give bond to the People of this State in such sum and with such surety as he shall direct, conditioned for the faithful performance of such contract; in case of default such bond shall be prosecuted by the Attorney General, and all moneys recovered shall be turned into the State military fund. All stores, supplies or property purchased under contract shall be rigidly inspected by an officer detailed for that purpose by the Commander-in-Chief, and compared with the samples furnished or with standard supplies and stores of like character, before the same shall be accepted or paid for.

If such stores and supplies so furnished under contract or proposal are defective and not equal in quantity, quality or value to those contracted to be furnished, the same shall be rejected.

The foregoing provisions shall apply in the matter of all purchases, except that in time of public danger, or when an emergency exists, and the Governor so decides, and so orders in writing, the Adjutant General may purchase, or authorize the purchase of stores and supplies in the open market sufficient for the needs of the emergency then existing, without requiring proposals, and without advertising for the same.

§ 5. The staff of a brigade shall consist of an assistant adjutant general with rank of lieutenant colonel; an assistant inspector general, with rank of lieutenant colonel; a judge advocate, with rank of lieutenant colonel; an inspector of rifle practice, with rank of lieutenant colonel; a quartermaster, with rank of major; a commissary of subsistence, with rank of major, and two aides de camp, each with rank of first lieutenant; each and all of whom shall have previously served in the Illinois National Guard or Naval Reserve or in the regular or volunteer service of the United States. They shall be officially designated as Adjutant General, Inspector General, Judge Advocate, Chief Inspector of Rifle Practice, Chief Quartermaster, Chief Commissary, and Aide de Camp, respectively, of the brigade to which they are attached.

A non-commissioned staff shall be attached to each brigade, to consist of a sergeant major, a quartermaster sergeant, a commissary sergeant, an ordnance sergeant, a color sergeant, and a trumpeter sergeant; all of whom shall be appointed by the general commanding the brigade and receive from him a warrant of their rank. They

shall receive an honorable discharge from service at the pleasure of the commanding general, or at the expiration of their term of service, unless sooner discharged by due process of law.

§ 6. A regiment of infantry shall consist of one colonel, one lieutenant colonel and regimental staff consisting of one adjutant, with rank of captain; one quartermaster, with rank of captain, one commissary, with rank of captain; one inspector of rifle practice, with rank of captain; one chaplain, with rank of captain; one sergeant major; one quartermaster sergeant; one commissary sergeant; one ordnance sergeant; one chief trumpeter; two color sergeants; one band; and not less than two, nor more than three battalions; and not less than eight, nor more than twelve companies.

§ 7. A battalion of infantry shall consist of one major and a battalion staff consisting of one adjutant, with rank of first lieutenant; one sergeant major; one quartermaster sergeant; one trumpeter sergeant; and not less than two, nor more than four companies. The commissioned staff of an unassigned battalion shall be the same as that of a regiment, except that the rank of its members shall be that of first lieutenant; the non-commissioned staff shall be the same as that of a regiment, with only one color sergeant.

§ 8. A company of infantry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, two musicians, one artificer, one corporal for every ten privates (number of corporals to be four), two cooks, and thirty privates as a minimum and seventy privates as a maximum.

§ 9. A regiment of cavalry shall consist of one colonel, one lieutenant colonel and a regimental staff consisting of one adjutant, with rank of captain; one quartermaster, with rank of captain; one commissary, with rank of captain; one ordnance officer, with rank of captain; one chaplain, with rank of captain; one veterinary surgeon, with rank of captain; one sergeant major; one quartermaster sergeant; one ordnance sergeant; one commissary sergeant; two color sergeants; one saddler sergeant; one farrier sergeant; one chief trumpeter; one band; and two squadrons, and not more than eight troops.

§ 10. A squadron of cavalry shall consist of one major and a commissioned staff the same as that of a battalion, a non-commissioned staff the same as that of a battalion, and not less than two, nor more than four troops. A troop of cavalry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, four corporals, two trumpeters, two cooks, one farrier, one blacksmith, one saddler, and twenty-eight privates as a minimum, and two additional corporals and forty-three privates as a maximum.

§ 11. A battalion of artillery shall consist of one major, and a commissioned staff the same as that of an unassigned battalion, with the addition of a veterinary surgeon, with rank of first lieutenant,

and a non-commissioned staff the same as that of an unassigned battalion, and not less than two, nor more than four batteries. The Commander-in-Chief may authorize the organization and enlistment of a band for the artillery battalion.

§ 12. A battery of artillery shall consist of one captain, one first lieutenant, two second lieutenants, one first sergeant, one quartermaster sergeant, one veterinary sergeant, four artificers, two trumpeters, two cooks, two or three platoons of two guns each, with their caissons, with the following allowance for each gun and caisson: one sergeant, two corporals, six to ten cannoneers, four to eight drivers.

§ 13. A band shall consist of one chief musician, two principal musicians, one drum major, four sergeants, eight corporals, two cooks, and from twelve to twenty-four privates.

§ 14. A company of engineers shall consist of one captain, three first lieutenants, six sergeants; ten corporals, two cooks and a maximum of seventy privates.

§ 15. A signal corps shall consist of one captain, three first lieutenants, ten sergeants, ten corporals, two cooks, and a maximum of seventy privates.

§ 16. The medical department shall consist of one surgeon general, with rank of colonel, as prescribed in section 2, article 1; for each brigade of the Illinois National Guard one assistant surgeon general with rank of lieutenant colonel, who shall be designated chief surgeon of the brigade to which he is assigned; for each regiment of the Illinois National Guard one surgeon, with rank of major; for each regiment and battalion of artillery of the Illinois National Guard, one assistant surgeon, with rank of captain; for each regiment of infantry and cavalry and battalion of artillery two assistant surgeons, with rank of first lieutenant; for each regiment of infantry and regiment of cavalry one acting assistant surgeon, with rank of first lieutenant as dental surgeon; as secretary to the surgeon general one assistant surgeon with the rank of first lieutenant, to keep the records of the department and act in the capacity of adjutant thereof; for the naval force a surgeon with the relative rank of lieutenant commander; two passed assistant surgeons with the relative rank of lieutenant; four assistant surgeons with the relative rank of lieutenant, junior grade, and a hospital corps, consisting of one hospital steward, assigned to the office of the surgeon general; one hospital steward to each brigade headquarters; one hospital steward for each regiment of infantry, cavalry and battalion of artillery, and one acting hospital steward for each battalion of infantry, squadron of cavalry and battery; and for the naval reserve one pharmacist to be a warrant officer, and such number of apothecaries (not exceeding four) as the commanding officer of the naval reserve may direct, and hospital corps privates in the ratio of two for each company of infantry, troop of cavalry, battery of artillery, signal corps and engineer company, and for the naval reserve such number of hospital attendants or laymen as the commanding officer may direct, upon the approval of the surgeon general.

§ 17. The Naval Reserve of the State shall be organized as one ship's crew of ten divisions, which shall consist of the eight divisions now organized and allowed by law, and in addition to [two] divisions as hereinafter provided for, which shall be known and designated as the (steam) engineering division, and shall be commanded by a captain. There shall be allowed to the captain's staff the following commissioned officers, viz.: one commander who shall be chief of staff; one commander who shall be chief executive officer; one lieutenant commander who shall be chief navigating officer; one lieutenant who shall be chief ordinance officer; one lieutenant who shall be equipment officer; one lieutenant, junior grade, who shall be the signal officer; one lieutenant, junior grade, who shall be the secretary, and two aides de camp who shall have the rank of ensign; one chief engineer; and one paymaster who shall be attached to the captain's staff and each of whom shall have the relative rank of lieutenant commander; a chaplain with the relative rank of lieutenant. There shall also be allowed to the captain's staff such number of warrant officers, not exceeding eight, and petty officers, as the Commander-in-Chief may from time to time direct.

§ 18. The Commander-in-Chief, may, at his discretion, to promote the efficiency of the service, subdivide the ten divisions into battalions of five divisions each, one of which shall be an engineering division. When battalions are organized, each battalion shall be commanded by a commander, and to each battalion there shall be allowed the following additional commissioned officers: one lieutenant commander, who shall be chief executive officer of the battalion; one lieutenant who shall be the navigating and ordnance officer of the battalion; one signal officer with the rank of ensign. There shall also be allowed to each battalion staff, such number of petty officers as the Commander-in-Chief shall from time to time order and direct.

Each division, except the engineering division, shall consist of not less than forty nor more than eighty petty officers, musicians and seamen, and the following commissioned officers, viz.: one lieutenant, one lieutenant, junior grade, and two ensigns. The number of petty officers and musicians to each division shall be such as the Commander-in-Chief may, from time to time, order and direct.

§ 19. As a part of the Illinois Naval Reserve there shall be formed from the present organized eight divisions of the naval forces, by transfer or otherwise enlisted, if the present divisions are not recruited to their maximum number of eighty men as allowed by law; machinists, firemen, electricians, oilers, coal-passers and yeomen, not to exceed twenty-one men from each division, two engineer divisions with not less than forty-two nor more than eighty-four warrant officers, petty officers and enlisted men. Engineer officers shall be assigned to each engineer's division as follows: one passed assistant engineer with the relative rank of lieutenant, one passed assistant engineer with the relative rank of lieutenant junior grade, and two assistant engineers with the relative rank of ensigns. All of whom shall be appointed by the Commander-in-Chief upon the recommen-

dation of the captain. The engineer division shall be under the command of the chief engineer, and shall perform all engineering duties of the naval reserve, being assigned for this purpose by the chief engineer to the division, or ship's complement when on a tour of duty, each division will be under the command of the engineer officer assigned to it, and will be administrative and tactical units to the same degree as a company of infantry.

§ 20. The staff paymaster and his assistants shall perform the duties of the paymaster of the Illinois Naval Reserve. The Commander-in-Chief may appoint not more than two assistant paymasters, with the relative rank of lieutenant, and lieutenant, junior grade, who shall be subordinate to and under the orders of the staff paymaster.

§ 21. In addition to chief buglers and division buglers, there shall be allowed to the ship's crew a band of not to exceed thirty musicians, who shall be under the direct command and supervision of the officer commanding the naval reserve, and shall be carried on the captain's muster rolls as attached to headquarters.

§ 22. Chief of staff, executive officers, navigating and ordnance officers, signal officers and aides de camp shall not be deemed to be staff officers, but shall be line officers, and, as such, entitled to assume command. Acting executive and navigating and ordnance officers shall be entitled to the same rank and precedence as officers regularly appointed as such.

§ 23. Whenever the naval reserve, or any part thereof, shall be in the field or afloat upon actual service, the senior officer present shall command the same, and whenever operating or acting in conjunction with the land forces of the militia of the State, the senior officer present, according to relative rank of either force, shall command the whole, unless otherwise specially ordered or directed by the Commander-in-Chief, or other competent military or naval authority. But no officer of the staff shall be entitled by virtue of his rank to assume command when officers of the line are present and capable of assuming command, unless expressly authorized so to do by law, or by the terms of his commission, where an officer of similar rank and position in the United States Navy service would not be entitled to assume command, unless by express direction of the Commander-in-Chief or other competent authority.

§ 24. The naval forces shall not be considered as attached to any division or brigade of the land forces of the State, but shall be under the direct command of the Commander-in-Chief. The Commander-in-Chief may, however, attach the naval forces temporarily for military purposes, in case of actual service, to any division or brigade of the State troops, should he deem proper so to do, and to place it under the command of the commanding officer thereof. Nothing in this act contained shall be construed as exempting the naval forces from being called into the service of the State, or of the United States, in case of war, rebellion, riot or insurrection, or to aid in the

enforcement of the laws of the State, or of the United States, in the same manner as provided by law for the land forces of the State troops. When called into the service of the State, or of the United States, for any purpose, they shall be liable to perform such duties as may be required of them, either on shore or afloat.

§ 25. The captain commanding the naval reserve shall be elected by the line officers and, when confirmed by the Commander-in-Chief, shall hold his office for five years. The commanding officers of battalions shall be elected by vote of the commissioned officers of the divisions composing such battalion, as soon as organized into battalions by the Commander-in-Chief. Executive officers, navigating and ordnance officers, signal officers, and staff officers shall not be entitled to vote at such elections. Such commanding officer shall be elected for a period of five years. Commissioned officers of divisions shall be elected by the members of each division in good standing in the same manner as is prescribed by law for the election of commissioned officers of companies of infantry, and shall be elected for a period of three years' term.

§ 26. All persons elected or appointed to any commissioned office, with the exception of the captain commanding, the brigade paymaster, assistant paymaster, and chaplain, shall, before any commission be issued to them, be required to pass a satisfactory examination as to their fitness and capacity for such office. But no person re-elected or re-appointed to any such office, shall be required to pass such examination upon such re-election or re-appointment.

§ 27. The Commander-in-Chief shall have power to establish by rule and regulation the character of examinations required of persons recommended for appointment or election to office in the naval reserve, and to appoint examining boards for the purpose of holding and conducting such examinations. Such boards may be general for the purpose of examining all persons elected or recommended for appointment to any grade or office, or may be special for the examination of particular persons as the Commander-in-Chief may direct. Such boards may be composed in whole or in part of officers of the United States Navy service. It shall be the duty of the Adjutant General to notify all persons elected or recommended for appointment to any commissioned office and subject to examination, to appear before the proper examining board for examination at such time as the Commander-in-Chief may direct. No person who shall be elected or recommended for appointment to any office, and who shall fail to pass the required examination, or whose election or appointment shall be disapproved (of) by the Commander-in-Chief, shall be eligible for election or appointment to such office for at least one year thereafter.

§ 28. The captain commanding may prescribe such examinations for promotion or appointment to any warrant or petty office on the captain's staff as he may deem proper, and may detail officers to conduct such examinations. Officers commanding battalions shall have the same power with regard to petty officers of the battalion staff and petty officers of divisions.

§ 29. The Commander-in-Chief shall have power to assign any officer, warrant or petty officer, or seaman of the United States Navy detailed for or assigned to duty with the naval brigade as instructor or otherwise, to such duties as he may deem proper and suitable, and shall have power to confer on any such officer, warrant or petty officer, or seaman, such rank in the naval service of the State during such detail or assignment as he may deem best.

ARTICLE 3—APPOINTMENTS—ELECTIONS.

§ 1. The appointment and commission of all commissioned officers shall be subject to the approval of the Commander-in-Chief. He shall appoint and commission the members of his staff, who shall hold office during his pleasure. He shall appoint and commission the general officers of the Illinois National Guard, who shall hold their offices until removed by resignation or retirement, or by sentence of court martial or finding of a board of inquiry. But no person shall be appointed a general officer of the line, unless he be serving at the time of his appointment as a line officer in the Illinois National Guard above the rank of major, and shall have previously served as an officer in the Illinois National Guard for not less than seven years. All staff officers shall be appointed and commissioned by the Commander-in-Chief, upon the recommendation of their immediate commanders, which commissions shall expire when the nominating officers or their successors shall make nominations for their respective officers, and such nominations shall be confirmed by the Commander-in-Chief. No person shall be appointed or commissioned as a staff officer (excepting chaplain and medical officers) unless he shall have previously served, or is then serving in the National Guard or Naval Reserve of Illinois, or in the volunteer or regular forces of the United States. Non-commissioned staff officers of brigades, regiments or independent battalions of infantry, squadron of cavalry and battalion of artillery of the national guard shall be appointed by warrant by the commander of brigades, regiments, battalions or squadrons, as the case may be. No person shall be appointed a non-commissioned staff officer, unless he be at the time of appointment serving in the national guard or naval reserve, or shall have previously served and been honorably discharged therefrom, in either the national guard or naval reserve, or the regular or volunteer forces of the United States. Regimental officers above the rank of captain shall be elected by the line officers of the regiment, and, when confirmed by the Commander-in-Chief, shall hold their office five years. Company officers shall be elected by the members of their companies, and, when confirmed by the Commander-in-Chief, shall hold office for three years. All non-commissioned officers of companies, on recommendation of their captain, shall be appointed by warrant by the commander of the regiment, unassigned battalion, squadron of cavalry or battalion of artillery, provided they shall have passed a satisfactory examination prescribed by the officer issuing

the warrant, and that fact so certified to such officer. Commanding officers of regiments or unassigned battalions are empowered to detail an officer or officers to conduct such examinations.

§ 2. Whenever any company of the Illinois National Guard or division of the Naval Reserve shall be reduced to a number of less than the minimum herein provided uniformed and active members, to be ascertained by an inspection, it may be disbanded or consolidated with another company by the Commander-in-Chief.

§ 3. The Commander-in-Chief is hereby authorized to make rules and regulations for the government of the military and naval forces of the State, but such rules and regulations shall conform to the laws of this State, and as nearly as practicable to the regulations for the army and navy of the United States.

§ 4. The organization, equipment, discipline and government of the Illinois National Guard and the Naval Reserve of Illinois, not otherwise provided for in this act or in general regulations, shall conform to the regulations, customs and usages of the army and navy of the United States.

§ 5. All meetings for the election of officers shall be ordered by the Commander-in-Chief. The order therefor shall be addressed to an officer of the Illinois National Guard or the Naval Reserve of the State to preside at such meeting, who shall, at least one week previous thereto, send a notice thereof, by mail or otherwise, to each person entitled to vote thereat. The voting shall be by ballot, and a majority of all votes cast shall be necessary to elect, and the result thereof shall be forthwith returned by the officer presiding through military channels to the Adjutant General, who shall, when such election is confirmed by the Commander-in-Chief, issue the proper commissions. If there shall be a failure to elect any officer at two meetings ordered therefor, the Commander-in-Chief may fill the vacancy by direct appointment. If the officer designated to preside at such meeting shall not appear thereat, the senior officer present shall preside.

§ 6. Examining boards to consist of not less than three nor more than five commissioned officers, one of whom shall be a medical officer, shall be appointed by the Commander-in-Chief to examine and inquire into the mental, moral, professional and physical fitness of applicants for commissions as company officers of the line, and also applicants for staff commissions below the rank of captain. That no original commission, or commission evidencing promotion or increased rank as an officer of the line below the rank of major in the infantry, cavalry or artillery of the Illinois National Guard, or as a staff officer in either of those branches of the service ranking below captain, shall be issued by the Governor until the applicant therefor shall have passed an examination satisfactory to the examining board, and that fact certified by said board to the Commander-in-Chief. Applicants for commissions who are under the provisions of this section, shall be given at least one week's notice in writing

through the Adjutant General's office of the time and place, and before whom they shall appear for examination. Applicants failing to appear at the time and place cited may, upon good cause shown, be given another opportunity to take such examination. Applicants appearing for examination pursuant to notification shall be entitled to transportation and two days' camp pay of their grade, whether they pass such examination or not.

§ 7. Officers of whatsoever grade, of the Illinois National Guard and Naval Reserve whose commissions expire by limitation, and who are not re-elected or re-appointed, and staff officers whose commissions terminate by the act of the officer upon whose staff they are serving, and officers who are rendered surplus by reason of the muster out of their commands or the consolidation thereof with some other command, shall be honorably discharged; officers whom a board of survey shall find to be incapacitated for further military duty by reason of physical disability, or officers who shall resign their commissions before the expiration or termination thereof for any cause not specified in the succeeding section shall be honorably discharged.

§ 8. Officers of the Illinois National Guard or Naval Reserve who may become incapacitated for the proper performance of their duties by reason of the acquiring of undesirable habits, either of appetite, temperament or morals, or by reason of negligence or slothfulness, may be ordered before a board of officers on the recommendation of their immediate commanding officer, or any superior commanding officer; which recommendation shall set out fully the reason or causes which make it undesirable that such officer should longer continue in the service.

§ 9. Whenever a recommendation is made pursuant to the provisions of the preceding section, and such recommendation is approved by superior commanders, it shall be the duty of the Commander-in-Chief to convene a board, consisting of not less than three nor more than five officers, one at least of whom shall be a medical officer, to examine into the matter of such recommendation and the conduct and qualifications of the officer who is the subject thereof, and report to the Commander-in-Chief, through the Adjutant General, whether or not they approve such recommendation; if such recommendation is approved by the board of officers, then the officer who is the subject thereof shall be discharged of the military service and his commission vacated.

ARTICLE 4.—MEDICAL DEPARTMENT.

§ 1. The assistant surgeons general shall be assigned to the staffs of the respective brigade commanders, and shall be appointed and commissioned by the Commander-in-Chief upon the recommendation of the respective brigade commanders, concurred in by the surgeon

general; surgeons with the rank of major, or relative rank of lieutenant commander in the naval reserve, shall be assigned to regiments of infantry and cavalry and the naval reserve, respectively, and shall be appointed and commissioned by the Commander-in-Chief upon the recommendation of the several regimental commanders, and the commander of the naval reserve, respectively, concurred in by the surgeon general, and after having passed such examination as the surgeon general may prescribe, assistant surgeons with the rank of captain, and passed assistant surgeons with the rank of lieutenant in the naval reserve, shall be assigned to regiments of infantry, cavalry and battalions of artillery and naval reserve, respectively, and shall be appointed and commissioned by the Commander-in-Chief upon the recommendation of the respective regimental commanders, the artillery battalion commander and the commander of the naval reserve, respectively, concurred in by the surgeon general, and after having passed such examination as the surgeon general may prescribe; the assistant surgeon, with the rank of first lieutenant, as secretary to the surgeon general, shall be appointed and commissioned upon the recommendation of that officer; other assistant surgeons, with the rank of first lieutenant, shall be assigned in the proportion of two to each regiment of infantry, cavalry and battalion of artillery, and assistant surgeons with rank of lieutenant, junior grade, in the naval reserve, to the naval reserve in such manner as to subserve the best interests of that service, and shall be appointed and commissioned by the Commander-in-Chief upon the recommendation of the several regimental commanders, artillery battalion commander and the commander of the naval reserve, respectively, concurred in by the surgeon general, and after having passed such an examination as the surgeon general may prescribe; the acting assistant surgeons as dental surgeons, with the rank of first lieutenant, shall be assigned to the regiments of infantry and cavalry, and shall be appointed and commissioned by the Commander-in-Chief, upon the recommendation of the respective regimental commanders, concurred in by the surgeon general, and after having passed such examination as the surgeon general may prescribe.

§ 2. Assistant surgeons of the original grade of first lieutenant, provided for in the preceding section, shall, after five years service, be entitled to the rank of captain.

§ 3. The provisions of section 1, of this article shall not deprive any assistant surgeon of the original grade of first lieutenant, or who has attained by length of service the grade of captain, who is inactive and assigned to a regiment or battalion at the time of going into effect of this act, of his commission as a member of the medical department; the appointment and assignment of dental surgeons shall be made only as vacancies occur in the grade of assistant surgeons through death, resignation, transfer, promotion or discharge.

§ 4. Officers of the medical department who at the time of the going into effect of this act are in excess of the number as provided

in this act in the grade they then hold, and who are unassigned, shall be mustered out of the service by order of the Commander-in-Chief, or transferred to the retired list, if they are eligible thereto.

§ 5. Officers of the medical department (with the exception of the surgeon general, who holds his office at the pleasure of the Governor) shall hold their respective offices or grades in the medical department for a term of five years unless removed therefrom by death, resignation, promotion or the findings of a board of inquiry or court martial, approved by the Commander-in-Chief.

§ 6. Officers of the medical department who may become incapacitated for the performance of their duties as military surgeons by reason of the acquiring of undesirable habits, either of appetite, temperament, or morals, or by reason of ill health or stress of professional engagements or business, may be ordered before a board of inquiry upon the recommendation of the surgeon general or brigade commander, if such officer be of the grade of lieutenant colonel or under; by a regimental commander or commanding officer of the naval reserve, if such officer be of the grade of major or lieutenant commander or under; by the commanding officer of the artillery battalion, if such officer be of the grade of captain or under.

§ 7. Whenever a recommendation is made pursuant to the provisions of the preceding section, and such recommendation is approved by superior commanders, and the surgeon general, it shall be the duty of the Commander-in-Chief to convene a board consisting of not less than three or more than five officers, at least two of whom shall be medical officers, who shall meet at such time and place as the Commander-in-Chief may direct, to examine into the matter of such recommendation, examine all witnesses who may be ordered before it, and inquire fully and make full report to the Commander-in-Chief through the surgeon general, and shall make such recommendations as the facts of the case warrant and support. Upon the approval of such findings by the Commander-in-Chief, he shall, if the findings so recommend, order the mustering out of the service of such officer.

§ 8. Hospital stewards shall be registered pharmacists, and acting hospital stewards shall be either physicians, registered pharmacists, or medical or pharmaceutical students.

§ 9. Hospital stewards attached to brigade headquarters shall be recommended for appointment by the respective assistant surgeons general; hospital stewards and acting hospital stewards attached to regiments or the battalion of artillery shall be recommended for appointment by the ranking surgeon or assistant surgeon of the regiment or artillery battalion; pharmacists and apothecaries of the naval reserve by the ranking medical officer thereof; stewards and acting stewards and pharmacists shall be appointed and warranted by the surgeon general, upon the recommendations aforesaid, after having passed such physical, mental and professional examination as the surgeon general may prescribe; stewards and acting stewards,

pharmacists and apothecaries, after having qualified for appointment as such, shall be required to enlist or be enrolled in the hospital corps under the provisions of article 8, entitled, "Enlisted Men of the National Guard and Naval Reserve."

§ 10. Hospital corps privates may be enlisted as such or transferred to the hospital corps, from the line upon their own request, approved by their company, troop, corps or battery commander, and the approval of the medical officer having charge or command of that detachment of the hospital corps [to] which the man in question is to be appointed upon enlistment or transfer. Privates of the hospital corps shall undergo such examinations, physical, mental and moral, as the surgeon general may prescribe. Privates of the hospital corps shall be enlisted for three years, unless they come within the provisions of section 2, article 8, of this act, when they may be enlisted for a less term than three years. Men transferred from the line to the hospital corps shall receive credit for the length of time served on their last enlistment in the line.

§ 11. The hospital corps and the several detachments thereof shall be under the command of the senior medical officer of the organization to which they may be attached or assigned, and the equipment, instruction, training, subsistence and general conduct of such detachment shall be under the supervision of the medical officer commanding such detachment.

ARTICLE 5.—PARADES AND ENCAMPMENTS.

§ 1. The commanding officer of each regiment, battalion, company, troop, battery, engineer company, signal corps or hospital corps of the national guard or ship's crew, division or other detachment of the naval reserve, may order weekly or semi-weekly evening drills. The minimum number of such drills so ordered to be thirty in any one year, and such commanding officer may order such parades, manœuvres and exercises in addition to the regular drills as the proper instruction of his command and the proper observance of memorial day may make necessary.

§ 2. The Commander-in-Chief may order a tour of camp or field duty for the national guard, or camp duty or cruise for ship's crew or divisions of the naval force of not less than eight or more than twelve days annually, and may extend the time of such tours a greater number of days than twelve, without expense to the State for pay and subsistence for such number of days exceeding twelve.

§ 3. The commanding officer of any encampment or parade may cause those under his command to perform any field or camp duty he shall require, and may put under arrest during such encampment or parade, any member of his command who shall disobey a superior officer or be guilty of disorderly or unmilitary conduct, and any other person who shall trespass on the parade or encampment ground, or in any way interrupt or molest the orderly discharge of duty by the members of his command, and he may prohibit the sale of all spirituous or malt liquors within one mile of such encampment, and en-

force such prohibition by force, if necessary: *Provided, however,* that nothing herein contained shall be construed to interfere with the regular business of any liquor dealer whose place of business shall be situated within said limits before the commencement of said encampment.

ARTICLE 6.—RIFLE PRACTICE.

SECTION 1. The general inspector of rifle practice shall have charge of rifle practice throughout the State, and shall superintend the manner in which the same shall be conducted, under orders of the Commander-in-Chief.

§ 2. The brigade, regimental and battalion inspectors of rifle practice shall perform such duties as may, from time to time, be prescribed by the general inspector of rifle practice.

§ 3. Such inspectors of rifle practice shall be paid, as hereinafter prescribed, the same as for camp duty, subject to the approval of the Commander-in-Chief. The expense of procuring and maintaining proper rifle ranges, procuring ammunition and all other things deemed proper for the promotion of rifle practice by the Illinois National Guard, shall be paid for from the military fund, on bills of particulars drawn by the Adjutant General and approved by the Commander-in-Chief.

ARTICLE 7.—ARMS AND ARMORIES.

SECTION 1. Upon the muster in of any new organization in the Illinois National Guard, or any ship's crew, or division of the naval force of Illinois, on the requisition of its commanding officer, and the approval of the Governor, the Adjutant General shall issue all necessary clothing, equipage, ordnance stores, arms and munitions, and all other public property: *Provided, however,* that when any clothing, equipage, ordnance stores, arms or munitions are delivered to any commander, he shall execute and deliver to the Adjutant General a bond, payable to the People of the State of Illinois, in a sufficient amount, and with sufficient security, to be approved by the Governor, conditioned for the proper use of such clothing, equipage, ordnance stores, arms and munitions, and the return of the same, when requested by the proper officer, in good order, wear, use and unavoidable loss and damage excepted. All such clothing, equipage, ordnance stores, arms and munitions shall be kept at the company, regimental, division or ship's crews armory, and the same shall not be removed therefrom for any purpose whatever, except for regular drills or when authorized by the commanding officer.

§ 2. The inspector general shall critically inspect at least once in each year all State arsenals, camp grounds, rifle ranges, and all State property of every kind and nature, stores therein or pertaining thereto, and make full report upon proper blanks to the Commander-

in-Chief, through the Adjutant General, of the condition of such arsenals, camp grounds and rifle ranges, and the condition, quantity and approximate value of all camp and garrison equipage, military stores, arms, accoutrements and arsenal stores on hand, and accompany said report with such recommendations as to the care and preservation of said property, and the disposition of worn out and unserviceable property as he deems expedient and proper.

§ 3. The entire National Guard and Naval Reserve of Illinois shall be inspected at their home stations at least once in each year by the inspector general or an assistant inspector general, or an acting assistant inspector general, specially detailed for the purpose by the Commander-in-Chief. The officer conducting such inspection shall carefully inspect all ordnance stores, clothing, equipage, books, records and property belonging to the State, and the commanding officer of the organization undergoing inspection shall furnish said inspector with all necessary information, data and assistance to that end. And said inspector shall also examine and inquire into the method and scope of instruction as conducted by the commanding officer, the knowledge of, and familiarity with the various duties on the part of officers and non-commissioned, warrant and petty officers, also inform himself of the status of the organization undergoing inspection in the community where it is stationed, whether or not it merits or receives the moral support of the community, and make full report upon the prescribed blanks to the Commander-in-Chief, through the Adjutant General, (and when the inspection is made by an officer other than the inspector general, through the inspector general), of the condition of each command, and the ordnance and property thereof.

Inspecting officers shall be paid for the time actually devoted to said duty, under orders of the Commander-in-Chief, the pay of officers of like grade in the army of the United States, without longevity pay, and all necessary expenses incurred therein shall be paid on requisition, in the same manner as hereinbefore provided for. The Commander-in-Chief may authorize the commanders of brigades, regiments and battalions to inspect their commands or portions thereof at their home stations, whenever the interests of the service would be subserved thereby, and to authorize the payment for such duty as above provided.

§ 4. The inspector general shall make a written report to the Commander-in-Chief, each year, embracing therein a statement of all troops, arsenals, camps, rifle ranges and property of all kinds inspected by him or his assistant, together with the condition thereof, and accompany said report with a statement showing the expenses incurred in conducting said inspection, and such comments and recommendations as may be requisite. Said report shall be made to include all inspections made prior to the first day of September in each year.

§ 5. The brigade inspectors (assistant inspectors general) and acting assistant inspectors general shall make report in writing on the prescribed forms to the inspector general of all inspections made by them, immediately upon the conclusion of each inspection.

§ 6 The armory of each regiment, battalion, company, ship's crew or division shall be subject to the order of the Adjutant General, be under the charge of its commanding officer, who shall keep therein all property furnished by the State; and no company or division shall be furnished with arms or equipments until a suitable armory shall be provided for their deposit; nor shall such arms be loaned or taken from such armories by individual members of the company, without the express order or permission of the commanding officer. Any officer, non-commissioned officer or private of the Illinois National Guard or Illinois Naval Reserve, knowingly making any false certificate or false returns of State property in his hands, or neglecting or refusing to apply all money drawn from the State treasury for the purpose named in the requisition therefor, shall be deemed guilty of embezzlement, and shall be punished in a manner as provided for that offense in the criminal code of this State.

§ 7. Armories of the naval force shall be situated immediately on or near navigable waters of the State, in such position as best to promote the efficiency of the service. The word "armory," as used in this section and in any part of this act when applied to the naval force, shall be held to include a vessel, boathouse or dock, used as an armory for the purpose of instruction, drill and defense.

ARTICLE 8—ENLISTED MEN OF THE NATIONAL GUARD AND NAVAL RESERVE.

§ 1. ENLISTMENTS.] An able-bodied man of good character between the age of sixteen and forty-five years, who can read and write, and who is a citizen of the United States, or has declared his intention to become such, may be enlisted in the national guard or naval reserve of this State, for a term of not less than three years: *Provided*, he may be enlisted for a less term than three years, if he comes within the provisions of section 2 of this article. Band masters, drum majors, chief trumpeters, principal musicians, veterinary sergeants, hospital stewards, artificers, privates of the hospital corps and musicians may be enlisted as such. No minor shall be enlisted without the written consent of his parent or guardian; if he have no parent or guardian, then upon the written consent of a judge of a court of record. A man who has been expelled or dishonorable [dishonorably] discharged from any military or naval organization of this State, or from the military or naval force of the United States, or from the military or naval force of any State, territory or district of the United States, shall not be eligible for enlistment or re-enlistment unless he produces the written consent to such enlistment of the commanding officer of the organization from which he was expelled or dishonorably discharged, and of the commanding officer who approves such expulsion, or issued such dishonorable discharge. Men who have been honorable [honorably] discharged before the expiration of their term of enlistment for any reason, may be subsequently enlisted for the balance of such unexpired term.

§ 2. RE-ENLISTMENTS.] Men who have completed a full term of enlistment in the national guard or naval force of any state, territory or district of the United States, or in the regular or volunteer forces of the United States, and have been honorably discharged, may re-enlist at any subsequent time in any organization of the national guard or naval reserve of this State for a term of one, two or three years at their option.

A man who has served at least one full term of enlistment and has been honorable [honorably] discharged in the army or navy, of the United States or in the national guard or naval force of any state, territory or district of the United States, who is of the age of forty-five years or upward, may be enlisted or re-enlisted in the national guard or naval reserve of this State upon the approval of the commanding officer of the regiment, unsigned [unassigned] battalion, or crew in which he desires to be enrolled.

§ 3. ENLISTMENT PAPERS.] Every person who enlists or re-enlists in the national guard or naval reserve of this State shall sign an enlistment paper in form prescribed by the Adjutant General, and by taking the following oath or affirmation, which may be administered by any commissioned officer: "I do solemnly swear (or affirm) that I will bear true allegiance to the United States and the State of Illinois, that I will support the constitutions thereof, and serve the State of Illinois faithfully for a term of three years (in case of one year enlistments "one year") unless sooner discharged, or I cease to be a citizen of the State of Illinois; that I will obey the orders of the Commander-in-Chief and such officers as may be placed over me, and the laws governing the military forces of the State of Illinois, so help me God."

§ 4. TRANSFERS.] Enlisted men may be transferred, upon their own application, in the same regiment or battalion or squadron not part of the regiment, from one company, troop, battery or division, to another by the commanding officer of such regiment, battalion or squadron not part of the regiment, to another in the same brigade by the commanding officer of the brigade; from one regiment, battalion or squadron not part of a regiment to another of the same brigade by the commanding officer of the brigade; from one brigade to another by the Commander-in-Chief. In the naval force all transfers shall be made by the commanding officer thereof; from the signal corps and engineer companies to another organization, and from the naval reserve to the national guard and *vice versa* by the Commander-in-Chief. Non-commissioned and petty officers must be returned to the ranks before they can be transferred.

§ 5. REDUCTION TO RANKS.] The officer warranting a non-commissioned, warrant or petty officer shall have power to reduce to the ranks for good and sufficient reasons. But such as were enlisted as non-commissioned, warrant or petty officers shall be discharged.

§ 6. DROPPING FROM THE ROLL.] An enlisted man who shall remove his residence to such distance from the armory of his organiza-

tion as to render it impracticable for him to perform his duties properly, or who, after due diligence, cannot be found, or who shall be convicted [of] felony, may be dropped from the roll of his company, battery, troop, crew, division, or organization by the commanding officer thereof, who shall forthwith report his action to the Adjutant General through military channels.

§ 7. TAKING UP FROM DROPPED.] An enlisted man dropped by reason of removal, or by reason of having been beyond the jurisdiction of his organization, may be taken up at any time within three years after such dropping in his former or any other organization, obtaining, in the latter case, first, written permission of his former commanding officer. All men taken up after being dropped shall receive credit for the time served before having been dropped. Men taken up from dropped shall be reported forthwith by the officer taking them up, to the Adjutant General through military channels.

§ 8. RETIREMENTS.] The Governor may appoint enlisted men and commission them, without examination, as second lieutenant [lieutenants] or ensigns by brevet, upon the recommendation of their commanding officer, and place them upon the retired list at the same time, providing they have well served the State in the national guard or naval reserve, or both combined, for a period of fifteen years.

§ 9. DISCHARGES.] Men completing a full term of enlistment or re enlistment shall be given an honorable discharge in writing, signed by the brigade, regimental, unassigned battalion or squadron or corps commander, or the commanding officer of the naval reserve, as the case may be, which shall bear a certificate of character, signed by the immediate commander of the man discharged, and shall state thereon what active service the soldier may have participated in, and what grade he has attained in military marksmanship.

Men who have become disabled for military service may be discharged by order of the Commander-in-Chief upon a surgeon's certificate of disability, which discharge shall be signed, and the notations made thereon in preceding paragraph. Enlisted men may be discharged before the expiration of their term of service for any good and sufficient reason approved by their immediate commander, superior commanders and Commander-in-Chief, and a proper discharge paper given, signed and with a character certificate as provided for in honorable discharges.

Discharges of the enlisted men of the hospital service shall be issued and signed by the surgeon general, and of the signal corps and engineer companies by the respective commander thereof. Discharges of enlisted men of the naval reserve shall be issued and signed by the commanding officer thereof. An enlisted man may be dishonorably discharged by sentence of court martial, or upon the application of any commanding officer when approved by superior commanders and the Commander-in-Chief. Before application is made for the dishonorable discharge of a man, the officer making the application shall notify the man to appear before him and give him

an opportunity to show cause why such application should not be made, and shall also inform the man of his right to file a plea in writing within ten days with said officer, to show why such application should not be granted. The officer shall state in the application that this section has been complied with, and the plea, if any be filed, shall be forwarded with the application for discharge. Dishonorable discharge papers shall be signed as other discharge papers, but shall bear no certificate of character.

ARTICLE 9—COURTS-MARTIAL.

SECTION 1. General courts-martial for the trial of commissioned officers shall be ordered by the Commander-in-Chief, and shall consist of seven officers, a majority of whom shall constitute a quorum.

§ 2. General courts-martial for the trial of enlisted men shall be ordered by the Commander-in-Chief, and shall consist of five officers, any three of whom shall constitute a quorum.

§ 3. The commanding officer of a brigade, regiment, unassigned battalion, or other organization, may appoint a summary court, to consist of one commissioned officer of his command for the trial of enlisted men.

§ 4. A general courts-martial shall have jurisdiction to try all offenses against the military law, breaches of order or discipline, or neglect of duty. On conviction of any such offenses, the court may impose one or more of the following punishments: Cashiering and dismissal of officers, reduction of non-commissioned officers to the ranks, reprimand, dishonorable discharge, fine not exceeding \$100, and in default of payment, imprisonment in the county jail not exceeding thirty days.

§ 5. A summary courts-martial shall have jurisdiction to try minor offenses against military discipline, and upon conviction the court may impose one or more of the following punishments: Reprimand, forfeiture of whole or part of pay, and a fine not exceeding \$5, or in default of payment after approval, imprisonment not exceeding three days.

§ 6. All proceedings of courts-martial shall be forwarded to, and receive approval of, the officer ordering the same before sentence shall go into effect, and such officer may remit, mitigate, or commute such sentence.

§ 7. Witnesses for the prosecution or defense may be summoned to attend by subpoena signed by the judge advocate. Any witness, duly summoned, who shall fail to appear and testify, may be by warrant of the president of the court, directed to the sheriff or any constable arrested and treated as in like cases before civil courts. The fees of all witnesses shall be the same as allowed in civil cases, to be taxed with the necessary expenses of the judge advocate and the court, by the president thereof. The Auditor of Public Accounts is hereby authorized and directed to issue his warrant on the State

Treasurer for the payment of the above fees and expenses, the same to be certified to by the Adjutant General, and approved by the Governor. All such sums so certified and approved shall be payable from the appropriation made for ordinary and contingent expenses of the Illinois National Guard. The warrant shall be made payable to the judge advocate, who shall pay all the expenses of the trial when received by him.

§ 8. It shall be the duty of the president of any general court martial or summary court, after the sentence of such courts shall have been duly approved, to issue his warrant for the collection of all fines imposed by such court martial directed to the sheriff or any constable of the county wherein the person against whom such is imposed resides, and such officer shall collect all such fines in the manner as he is authorized to collect debts in civil suits, and he shall make return, within twenty days after receiving the same, to the officer issuing such warrant. In default of the payment of any such fine, or if the officer executing such warrant shall certify that there is no property of the defendant out of which to satisfy such warrant then the officer issuing such warrant shall issue his warrant of commitment, directed to such sheriff or constable, who shall forthwith take the body of such delinquent and convey him to the common jail of such county, and make return thereof to such court.

§ 9. It shall be the duty of the keepers and wardens of all county jails to receive and confine all military offenders, when delivered by such sheriff or constable, under proper warrant of commitment, for and during the term of sentence set forth in such commitment. No such imprisonment shall exceed a period of thirty days, and the officer ordering the court that imposed such fine may liberate such prisoner at any time.

§ 10. Enlisted men fined by a military court who shall neglect or refuse to pay such fine within forty days after the same has been imposed, may be dishonorably discharged from the service.

§ 11. All fines levied and collected under the provisions of this article shall be paid to the Treasurer of the State, who shall credit the same to the military fund of the State.

§ 12. Summary courts for enlisted men shall be appointed by the commanding officer of each ship's crew or complement for his command. Any officer of the naval force or a judge advocate of the national guard may be assigned to act as a judge advocate of a general court martial for a court of inquiry. General courts-martial, courts of inquiry and delinquent courts of officers may be wholly or partly composed of officers, junior in rank, to the officer to be tried or investigated, where, in the judgment of the Commander-in-Chief, the interests of the service so require.

§ 13. Whenever there is no judge advocate available for duty with courts-martial then the Commander-in-Chief may, in his discretion, designate an officer of the Illinois National Guard to act as such for the time being.

ARTICLE 10.—RETIRED LIST.

SECTION 1. Any commissioned officer who shall have served for a period of ten years (including service as an enlisted man) may, upon his own request, be placed on the retired list, and withdrawn from active service and command, and the vacancy thereby created shall be filled in the same manner as other vacancies.

§ 2. Any commissioned officer of the Illinois National Guard, except the Adjutant General of the State, upon arriving at the age of sixty-six years shall cease to be an officer on the active list, and shall forthwith be transferred to the retired list, and his command and duties shall devolve upon the next officer in rank in his brigade, regiment, battalion, squadron, battery, troop, company, corps, crew or division until the vacancy so occasioned shall be filled in the manner provided by law.

ARTICLE 11.—PAY AND ALLOWANCES.

SECTION 1. When in actual service for the suppression of riot and the enforcement of the laws, and when on duty under orders of the Commander-in-Chief, officers of the Illinois National Guard and the Naval Reserve of Illinois, shall receive the same pay as provided by law for officers of the United States army and navy of like grade, including longevity pay, with transportation and subsistence, and enlisted men of the Illinois National Guard and Naval Reserve shall receive per day, for service actually performed, according to their grade, as follows, including transportation and subsistence:

Sergeant major.....	} Brigade and regimental....	\$2.75
Quartermaster sergeant.....		
Commissary sergeant.....		
Ordnance sergeant.....		
Color sergeant.....		
Chief trumpeter.....		
Principal musician.....	} Battalion.....	\$2.60
Hospital steward.....		
First sergeant.....		
Sergeant major.....		
Quartermaster sergeant.....		
Trumpeter		
Sergeants.....	}	\$2.50
Acting hospital stewards.....		
Corporals.....	}	\$2.25
Trumpeters		
Cooks.....		
Privates and seamen.....		\$2.00

Warrant and petty officers of the naval reserve shall receive the same pay as non-commissioned officers of the Illinois National Guard, according to their relative ranks, grades or rating therewith; said payment to be made on rolls prescribed by the Adjutant General.

§ 2. The officers shall receive one-half the pay provided in the preceding section, and the enlisted men shall receive one dollar (\$1) for each day's service with transportation and necessary subsistence at any encampment, field maneuver or cruise authorized by law, or other military duty not specified in the preceding section, ordered by the Commander-in-Chief, for the purpose and in the manner herein provided:

Provided, nothing in this act shall be construed as to allow pay to officers and men for more than twelve days in any one year, except during a time of riot, insurrection or invasion, or while on duty under orders of the Commander-in-Chief:

And, provided, further, that enlisted men of the Illinois National Guard and Naval Reserve when on duty at camp of instruction, field maneuver or cruise or naval maneuvers, pursuant to orders of the president of the United States, and where the United States pays the cost of transportation and subsistence for such duty, shall receive from the State of Illinois the pay provided for like duty in this section, in addition to such pay as may be allowed by the United States.

§ 3. For each day's duty, when under orders from the Commander-in-Chief, or as a witness or a defendant under summons from the president or judge advocate of a court martial, officers and men shall be paid as hereinbefore provided in section 2 of this article.

§ 4. In every case where an officer, soldier or seaman of the Illinois National Guard or the Naval Reserve of Illinois shall be killed or wounded while performing his duty as an officer, soldier or seaman in pursuant of lawful orders from the Commander-in-Chief, said officer, soldier or seaman, or his legal heirs, shall have a claim against the State for financial help or assistance and the State Board of Claims shall act on and adjust the same, as the merits of each case may demand.

ARTICLE 12.—MOBS AND RIOTS.

SECTION 1. Whenever there is in any city, town or county a tumult, riot, mob or body of men acting together by force with attempt to commit a felony, or to offer violence to persons or property, or by force or violence to break or resist the laws of the State, or when such tumult, riot or mob is threatened, and that fact is made to appear to the Governor, it shall be his duty to order such military or naval force as he may deem necessary, to aid the civil authorities in suppressing such violence, and executing the law.

§ 2. Whenever the military or naval force shall be ordered out by the Governor, on any application of a civil officer, as aforesaid, or otherwise, they shall report to such civil officer as the Governor shall designate, and shall act in strict subordination to such civil authority in preserving peace, quelling riots, or executing the law, and may arrest any person or persons on view without process, and hold them in custody until, by order of the Commander-in-Chief, such person or persons shall be discharged from custody or delivered

over to the civil authorities; and whenever necessary to suppress riot, disperse the mob, restore the peace and execute the law may use such force as may be necessary.

§ 3. All orders from civil officers to military or naval commanders shall contain only the specific act to be performed by the military or naval officers. The manner of performing the said act shall be left to the discretion of the military or naval officer. Military or naval commanders shall transmit a copy of such orders at once through military channels, to the Commander-in-Chief.

§ 4. If any person shall molest, interrupt or insult by abusive words or behavior shall obstruct any officer or soldier or seaman while on duty, or at any parade or drill, he may be put immediately under guard, and kept, at the discretion of the commanding officer, until the duty, parade or drill is concluded, and such commanding officer may turn over such person to any sheriff, or to a police officer or constable of a county, city or town wherein such duty, parade or drill is held, to be dealt with as the law directs.

§ 5. Any person or persons composing or taking part in any riot, rout, tumult, mob or lawless combination or assemblage, who, after being commanded by a civil officer, if one is present, or by a military officer, if no civil officer is present, to disperse, wilfully and intentionally fails to do so, shall be guilty of a misdemeanor, and shall, on conviction, be fined in any sum not exceeding five hundred dollars (\$500) or imprisoned in the county jail not exceeding one year, or both such fine and imprisonment.

§ 6. It shall be unlawful for any person to assault or fire upon, throw any missile at, against or upon any member or body of the national guard or naval force, or civil officer or other person lawfully aiding them, when going to, returning from or assembled for performing any duty under the provisions of this chapter; and any person so offending shall be guilty of a felony, and may, upon conviction, be imprisoned in the penitentiary for not less than two nor more than five years.

§ 7. If any portion of the national guard or naval reserve, or person lawfully aiding them in the performance of any duty, under the provisions of this chapter, are assailed, assaulted, attacked or in imminent danger thereof, the commanding officer of such national guard or naval reserve may at once proceed to quell such attack and disperse the attacking parties, and take all other needful steps for the safety of his command.

§ 8. If any member of the national guard or naval reserve in the performance of his military duty, or in pursuance thereof, and while acting in his capacity as a member of the national guard or naval reserve, shall kill, wound, maim or injure any person, or shall cause, order or direct the killing, wounding, maiming or injuring of any person, or the injury, destruction or confiscation of any property, real or personal, it shall be the duty of the officer commanding the military force of which such member is part, as soon as possible

thereafter, to convene a board of inquiry, to consist of not less than two nor more than five commissioned officers of the military or naval force, who shall examine and inquire into the facts in connection with, or in relation to the act or acts to be inquired of, and take the substance of the proof or evidence of the witnesses to and participants in such act or acts down in writing, and transmit the same, together with their findings and conclusions from the facts adduced before said board, to the Adjutant General through military channels.

§ 9. If any member of the national guard or naval reserve shall be prosecuted by civil or criminal action for any act performed or committed by such member, or any act caused, ordered or directed by such member to be done or performed in furtherance of, and while in the performance of his military duty, all the expenses of the defense of such action or actions, civil or criminal, including attorneys' fees, witnesses' fees for the defense, defendant's court costs, and all costs for transcripts of records and abstracts thereof on appeal by the defense, shall be paid by the State: *Provided*, that the Attorney General of the State shall be first consulted in regard to, and approve of the selection of the attorney for the defense: *And, provided further*, that the Attorney General of the State may, if he sees fit, assume the responsibility for the defense of such member and conduct the same personally, or by any one or more of his assistants.

§ 10. The expenses of such defense, as provided for in the preceding sections, shall be paid by the Adjutant General out of the military fund of the State, upon vouchers and bills approved by the Attorney General.

ARTICLE 13.—GENERAL PROVISIONS.

§ 1. No military company or division of the naval force shall leave the State with arms and equipments, without the consent of the Commander-in-Chief.

§ 2. It shall not be lawful for any body of men, other than the regularly organized volunteer militia of this State, troops of the United States, grand army posts, camps of the sons of veterans or organizations of ex-soldiers of the Spanish-American war or Philippine insurrection, to associate themselves together as a military company or organization, to drill or parade with arms in this State, except as hereinafter provided: *Provided*, that by, and with the consent of the Governor, independent regiments, battalions or companies, organized for the purpose of recreation or to acquire military knowledge that may better enable them to serve the State in time of public peril, if such should arise, may associate themselves together as a military body or organization, and may drill or parade with arms in public in this State: *Provided, further*, that students of educational institutions, where military drill is a part of the course of instruction, may, with the consent of the Governor, drill and parade with arms in public under command of their military instructor: *Provided*, that nothing herein contained shall be construed so as to pre-

vent benevolent or social organizations from wearing swords. All military organizations in and by this section permitted to drill and parade with arms, shall, on occasions of public parade, be required to carry the United States flag in addition to any private ensign which they may carry: *Provided*, that the consent herein specified may be withdrawn at the pleasure of the Governor.

§ 3. Whoever offends against the provisions of the preceding section, or belongs to, or parades with any such unauthorized body of men with arms shall be punished by a fine not exceeding the sum of one hundred dollars (\$100), or by imprisonment in the common jail for a term not exceeding six months, or both.

§ 4. All military and naval property issued by the State shall be used only in the discharge of military duty, and any non-commissioned officer or enlisted man who shall wilfully or wantonly destroy, secrete, sell or attempt to sell, retain after proper demand made, or in any manner pawn or pledge such military property, shall be tried by court martial, and, upon conviction, shall be sentenced to pay a fine not exceeding one hundred dollars (\$100), and in default of the payment of such fine, may be imprisoned in the county jail not exceeding thirty days.

§ 5. Any person not a member of the Illinois National Guard, Illinois Naval Reserve, army of the United States, Grand Army of the Republic, Sons of Veterans, or organizations of ex-soldiers of the Spanish-American war or the Philippine insurrection, who shall wear any uniform or designation of rank in use by the national guard and naval reserve used or authorized in this act, shall be guilty of a misdemeanor, and, upon conviction, shall be fined in the sum of not less than twenty dollars (\$20) nor more than one hundred dollars (\$100); such offender shall be proceeded against as in the case of other misdemeanors under the statute, and the person so fined shall be committed to the county jail until such fine and attendant costs are paid.

All fines collected under this section shall be transmitted by the officer or magistrate collecting the same to the Adjutant General, for the benefit of the military fund.

§ 6. If an officer, soldier or seaman, in time of peace, habitually absents himself for the space of four months, from all drills or parades of the organization to which he belongs, he may be considered a deserter, and so reported to the Adjutant General through the regular military channels.

§ 7. Any officer or enlisted man of the Illinois National Guard or Illinois Naval Reserve who shall wilfully absent himself from his command, or fail to report to his commanding officer for duty, when his company, troop, battery, crew or organization is engaged or called into active service, pursuant to the law, for the suppression of riot or insurrection, or the protection and preservation of persons and property, shall be deemed guilty of desertion, and, upon conviction by court martial, and the approval of the Commander-in-Chief of

the findings thereof, shall be imprisoned in the county jail of the county wherein his organization is permanently stationed, for such period of time, not exceeding six months, as a court martial may direct, and shall be dishonorably discharged. A warrant of commitment, signed by the president and judge advocate of said court accompanied by a certified copy of the findings of said court, as approved by the Governor, shall be sufficient authority to the sheriff of the county to imprison such convicted person.

§ 8. It shall be the duty of the State's attorney of the county wherein such convicted person shall be imprisoned to resist before the courts any application for a writ of habeas corpus that may be prosecuted by persons convicted and sentenced under this act.

§ 9. All acts, and parts of acts in conflict herewith, are hereby repealed.

APPROVED May 14, 1903.

SURVEYS AND SURVEYORS.

IMPERSONATION OF COUNTY SURVEYOR.

§ 1. Amends section 1, act of 1874.

§ 1. Oath prescribed — penalty for false impersonation of surveyor.

Approved May 13, 1903.

AN ACT to amend section one (1) of an act entitled, "An act to revise the law in relation to county surveyors, and the custody of the United States field notes," approved March 1, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an act entitled, "An act to revise the law in relation to county surveyors, and the custody of the United States field notes," approved March 1, 1874, in force July 1, 1874, be amended so that the same shall read as follows:

Section 1. That every county surveyor shall, before entering upon the duties of his office, take and subscribe and file in the office of the county clerk, the following oath: "I do solemnly swear (or affirm, as the case may be,) that I will support the constitution of the United States, and the constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of county surveyor to the best of my ability."

Whoever, not being a duly elected and qualified county surveyor, shall hold himself out or pretend to be a county surveyor, or shall in any manner represent or advertise himself as county surveyor, shall forfeit and pay the sum of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200) for each offense, to be

recovered before any court of competent jurisdiction, in an action of debt to be brought in the name of the People of the State of Illinois, for the benefit of the school fund of the city or school district in which the recovery is had.

APPROVED May 13, 1903.

TELEGRAPHS AND TELEPHONES.

TELEPHONE COMPANIES--REGULATION OF.

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| <p>§ 1. Companies already organized subject to provisions of this act.</p> <p>§ 2. Injuries to telephone lines subject to laws concerning telegraph lines.</p> <p>§ 3. Telephone wires over rails of steam or electric roads.</p> | <p>§ 4. Condemnation of property for use of telephone companies same as for telegraph lines.</p> <p>§ 5. Mortgages and deeds of trust executed by telephone companies--recording, etc.</p> |
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Approved May 16, 1903.

AN ACT *relating to the powers, duties and property of telephone companies.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That each corporation heretofore or hereafter having power under its charter, or under any special or general law of the State of Illinois to construct or operate telephone lines or exchanges in or through Illinois, shall possess the powers and privileges, and be subject to the duties, restrictions and liabilities prescribed in this act.

§ 2. All acts now or hereafter in force relating to the injuring, molesting or destroying any part or parts of any telegraph line, wire or cable, pole, pier, abutment, or any material or property or effects belonging thereto, and to the cutting, damaging, breaking, tapping or making any unlawful connection with any telegraph line, wire, cable or instrument, shall apply to such telephone lines and exchanges, with the fines, penalties, judgments and punishment provided in such acts applicable to telegraph companies or their lines or property.

§ 3. Whenever the lines or cables of any such company are erected or constructed over the rails of any steam or electric railroad within the State of Illinois, such company shall maintain such wires or cables not less than twenty-five (25) feet above the surface of the rails. Any failure or refusal so to do shall render such company liable to a fine of not more than fifty dollars (\$50) for each offense, to be recovered upon conviction thereof, before any court of competent jurisdiction. All fines collected by virtue of this act shall be paid into the common school fund of the township in which the offense is committed.

§ 4. Every such company may, when it shall be necessary for the construction, maintenance, alteration or extension of its telephone system, or any part thereof, enter upon, take or damage private property in the manner provided for in, and the compensation therefor shall be ascertained and made in conformity to the provisions of "An act to revise the law in relation to telegraph companies," approved March 24, 1874, and in force July 1, 1874, and every such companies [company] is authorized to construct, maintain, alter and extend its poles, wires, cables and other appliances as a proper use of highways, along, upon, under and across any highway, street, alley, water or public ground in this State, but so as not to incommode the public in the use thereof: *Provided*, that nothing in this act shall interfere with the control now vested in cities, incorporated towns and villages in relation to the regulation of the poles, wires, cables and other appliances: *And provided*, that before any such lines shall be constructed along any such highway it shall be the duty of the telephone company proposing to construct any such line, to give to the highway commissioners having jurisdiction and control over the road or part thereof along and over which such line is proposed to be constructed, notice in writing of the purpose and intention of said company to construct such line over and along said road or highway, which said notice shall be served at least ten days before said line shall be placed or constructed over and along said highway; and upon the giving of said notice it shall be the duty of said highway commissioners to specify the portion of such road or highway upon which the said line may be placed and constructed, and it shall thereupon be the duty of the said company to construct its said line in accordance with such specifications; but in the event that the said highway commissioners shall, for any reason, fail to make such specification within ten days after the service of such notice, then the said company, without such specification having been made, may proceed to place and erect its said line along said highway by placing its posts, poles and abutments so as not to interfere with other proper uses of said road or highway: *Provided*, that such telephone companies shall not have the right to condemn any portion of the right of way of any railroad company except as much thereof as is necessary to cross the same.

§ 5. Any mortgage or deed of trust which shall hereafter be executed by any telephone company upon its real and personal property in the manner provided for the execution of mortgages upon real estate shall be and constitute a valid lien against the rights and interests of any third persons upon all and [and] every part of the property of said company, which is described in said mortgage, and which is situated in any county in this State, where said deed of trust or mortgage shall be recorded in the manner provided for the recording of mortgages upon real estate; and all mortgages or deeds of trust which have heretofore been executed and recorded in the manner provided by law for the execution and recording of mortgages upon real estate, shall be and constitute valid liens as against the rights

and interests of third parties, which shall be acquired subsequently to the recording in any county where any property of said corporation may be situate of confirmatory conveyance or assurance: *Provided*, if said original mortgage or deed of trust shall not have been recorded in any county where any property of said company shall be situated, then the recording of the original instrument in such county shall make said deed of trust or mortgage a valid lien as against the rights and interests of third parties acquired subsequently to such recording of said instrument.

APPROVED May 16, 1903.

TOWNSHIP ORGANIZATION.

CITY TERRITORY ORGANIZED AS TOWN.

§ 1. Amends section 1 of act of 1877.

Approved May 15, 1903.

§ 1. Organization as a town of territory embraced within a city—city of 15,000 or more population lying within two or more towns.

AN ACT to amend section 1 of an act entitled, "*An act to authorize county boards in counties under township organization to organize certain territory situated therein as a town,*" approved May 23, 1877, enforced [*in force*] July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an act entitled, "*An act to authorize county boards in counties under township organization to organize certain territory situated therein as a town,*" approved May 23, 1877, in force July 1, 1877, be, and the same is hereby, amended so as to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the county board, in any county under township organization, may provide that the territory embraced within any city in such county shall be organized as a town: *Provided*, such territory shall have a population of not less than three thousand: *And provided*, the city council in such city shall, by resolution, request such action by the county board: *And, provided further*, that whenever the territory of any city of a population of not less than fifteen thousand shall be composed of portions of two or more townships, and shall, by its council request, by resolution, the county board to organize it into a separate township, as aforesaid, and shall designate the name thereof, it shall be the duty of the county board to comply with such request and provide for such organization of said city into a new township under the name designated in such resolution of said city council.

APPROVED May 15, 1903.

TOWNSHIP BOUNDARIES—CHANGES BY COUNTY BOARD.

§ 1. Amends section 1, article 3, act of 1874. | Approved May 14, 1903.

§ 1. Change of boundaries by county board—area of new town—population required—notice of change—division of incorporated towns—emergency.

AN ACT to amend section 1 of article three (3) of an act entitled, "An act to revise the law in relation to township organization," approved and in force March 4, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one of article three of an act entitled, "An act to revise the law in relation to township organization," approved and in force March 4, 1874, be amended so as to read as follows:

§ 1. POWERS OF THE COUNTY BOARD.] The county board or board of supervisors of each county, shall have jurisdiction to alter the boundaries of towns, to change town lines and to divide, enlarge and create new towns in their respective counties; and the county board or board of supervisors may make alterations of the town boundaries, and create a new town whenever, in any territory of not less than 16 square miles, three-fourths or more of the voters resident in such territory shall petition for such new town: *Provided, however,* that such new territory proposed to be organized into a new town shall contain at least two hundred legal voters: *Provided further,* that the portion of the town remaining after such new town is created shall also contain not less than two hundred legal voters and not less than sixteen square miles: *Provided, however,* the county board or board of supervisors shall give notice thereof, by posting up notices in not less than five of the most public places of the town interested, at least sixty days before their final action; also by publishing such notice at least three times in some newspaper published in the county wherein said towns are situated, if any shall be published therein: *Provided further,* that no incorporated towns shall be divided, except consent thereto is given by a majority of all the electors in said town, notice that the question of dividing said town will be submitted to the legal voters thereof having been given by the county clerk at the same time, and in the same manner as the notice of general elections.

WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED May 14, 1903.

UNITED STATES.

JURISDICTION OVER CERTAIN LANDS CEDED.

§ 1. Canal lands in Cook county ceded for turning basin—description of lands ceded.

§ 2. State reserves right to serve and execute process on lands ceded.

Approved May 13, 1903.

AN ACT to cede certain lands to the United States.

WHEREAS, The United States Government is desirous of constructing a turning basin for lake vessels in the Chicago river, and an appropriation has been made by Congress of the United States therefor; and,

WHEREAS, It is important to the successful construction and proper location of said turning basin that the United States should have certain of the canal lands belonging to the State of Illinois; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, ceded to the United States for use in constructing a turning basin, the following land, to-wit: All that part of lot 1 shown on the "plat of the Canal Commissioners' sub-division of that part of the southwest quarter of section twenty-nine, township 39 north, of range fourteen east of the third principal meridian, lying south of the main canal west of the Chicago river, and known as blocks twelve and thirteen of the canal trustees' sub-division of blocks ten, ten and a half, eleven, twelve and thirteen, in the southwest quarter of said section twenty-nine; also block 'a,' not previously surveyed or platted, in said southwest quarter section, and east of the Chicago river," in the city of Chicago, Cook county, Illinois, as follows: Lying north of a line beginning at a point on the southwesterly line of said lot 1, distant 129.5 feet in a westerly direction from the northwesterly side of Levee street, said point being also at the intersection of the said southwesterly line of said lot 1, with the present (November, 1902) south dock of the Illinois and Michigan canal; thence in an east by south direction to the intersection of the easterly side of said lot 1, with the northerly side of Levee street, containing 41,466 square feet.

§ 2. Jurisdiction of the State of Illinois over said lands is hereby ceded to the United States, subject, however, to the right of the State and any and all officers under its authority, to serve and execute on said lands any civil or criminal process issued under the authority of the State of Illinois, or any officer thereof, in the same manner as if jurisdiction had not been ceded to the United States.

APPROVED May 13, 1903.

WILLS.

PROBATE OF WILLS.

§ 1. Amends section 7, act of 1872.

Approved May 15, 1903.

§ 7. Contest of will—limitation.

AN ACT to amend section 7 of an act entitled, "*An act in regard to wills,*" approved March 20, 1872, and in force July 1, 1872, as amended by an act approved April 11, 1895, and in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 7 of an act entitled, "*An act in regard to wills,*" approved March 20, 1872, and in force July 1, 1872, as amended by an act approved April 11, 1895, and in force July 1, 1895, be, and the same is hereby, amended to read as follows:

Section 7. WILL CONTESTED.] § 7. When any will, testament, or codicil shall be exhibited in the county court for probate thereof as aforesaid, it shall be the duty of the court to receive the probate of the same without delay, and to grant letters testamentary thereon to the person or persons entitled, and to do all other needful acts to enable the parties concerned to make settlement of the estate at as early day as shall be consistent with the right of the respective persons interested therein: *Provided, however,* that if any person interested shall, within one (1) year after the probate of any such will, testament or codicil in the county court as aforesaid, appear, and by his or her bill in chancery contest the validity of the same, an issue at law shall be made up whether the writing produced be the will of the testator or testatrix or not, which shall be tried by a jury in the circuit court of the county wherein such will, testament or codicil shall have been proven and recorded as aforesaid, according to the practice in courts of chancery in similar cases; but if no such person shall appear within the time aforesaid, the probate shall be forever binding and conclusive on all of the parties concerned, saving to infants or *non compos mentis* the like period after the removal of their respective disabilities. And in all such trials by jury as aforesaid, the certificate of the oath of the witnesses at the time of the first probate, shall be admitted as evidence, and to have such weight as the jury shall think it may deserve.

APPROVED May 15, 1903.

JOINT RESOLUTIONS.

ADJOURNMENT, JANUARY 8 TO JANUARY 13.

Resolved by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Thursday, January 8, 1903, they stand adjourned until Tuesday, January 13, 1903, at 10:00 o'clock a. m.

Adopted by the Senate, January 8, 1903.

Concurred in by the House, January 8, 1903.

ADJOURNMENT, JANUARY 15 TO JANUARY 20.

Resolved, by the House of Representatives, the Senate concurring herein, That when the two Houses adjourn today, they adjourn to meet on Tuesday, the 20th day of January, A. D. 1903, at 10:00 o'clock a. m.

Adopted by the House, January 15, 1903.

Concurred in by the Senate, January 15, 1903.

ADJOURNMENT, JANUARY 21 TO JANUARY 27.

Resolved by the Senate, the House of Representatives concurring herein, that when the two Houses adjourn on Wednesday, January 21, 1903, they stand adjourned until Tuesday, January 27, 1903, at 10:00 o'clock a. m.

Adopted by the Senate, January 21, 1903.

Concurred in by the House, January 21, 1903.

ADJOURNMENT, JANUARY 29 TO FEBRUARY 3.

Resolved, by the House of Representatives, the Senate concurring herein, That when the two Houses adjourn on Thursday, January 29, 1903, they stand adjourned to meet at 10:00 o'clock a. m., Tuesday, February 3, 1903.

Adopted by the House, January 29, 1903.

Concurred in by the Senate, January 29, 1903.

ADJOURNMENT, FEBRUARY 11 TO FEBRUARY 17.

WHEREAS, Thursday, February 12, is the anniversary of the birth of Abraham Lincoln; therefore,

Resolved, by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Wednesday, February 11, 1903, they stand adjourned until Tuesday, February 17, 1903.

Adopted by the Senate, February 10, 1903.

Concurred in by the House, February 11, 1903.

ADJOURNMENT, APRIL 3 to APRIL 8.

Resolved, by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Friday, April 3, 1903, they stand adjourned until Wednesday, April 8, 1903, 10:00 o'clock a. m.

Adopted by the Senate, April 1, 1903.

Concurred in by the House, April 1, 1903.

ADJOURNMENT, SINE DIE.

Resolved, by the House of Representatives, the Senate concurring herein, That when the two Houses adjourn on Thursday, May 7, 1903, they stand adjourned sine die.

Adopted by the House, April 29, 1903.

Concurred in by the Senate, May 7, 1903.

CAIRO EXPEDITION—CORRECTION OF RECORDS.

WHEREAS, It is claimed by the Survivors' Association of the Cairo Expedition of April, 1861, that the records regarding the troops and organization of said expedition on file in the Adjutant General's office, State of Illinois, are incomplete and in many cases incorrect; and,

WHEREAS, Justice demands that the records pertaining to the military history of the Illinois troops in the wars of the nation should be absolutely correct, reliable and complete; therefore, be it

Resolved by the Senate, the House of Representatives concurring therein, That the Adjutant General of the State of Illinois is hereby authorized and empowered to confer with the Survivors' Association of the Cairo Expedition of April, 1861, to examine and obtain extracts from the War Department relative to the Cairo expedition aforesaid, and to correct and amend the records of his office in accordance with the facts ascertained by him and to which the troops and organizations of the Cairo expedition may be justly and legally entitled.

Adopted by the Senate, April 23, 1903.

Concurred in by the House, April 23, 1903.

CANVASS OF ELECTION RETURNS.

Resolved, by the House of Representatives, the Senate concurring herein, That the two Houses meet in joint session in the hall of the House of Representatives on Thursday, the 8th day of January, A. D. 1903, at the hour of 11:00 o'clock a. m., for the purpose of canvassing the returns of the election for State officers held on the fourth day of November, 1902, as required by the Constitution of this State.

Adopted by the House, January 7, 1903.

Concurred in by the Senate, January 8, 1903.

CHICAGO—NEW CHARTER PROPOSED.

Resolved, by the House of Representatives of the State of Illinois, the Senate concurring therein, That there shall be submitted to the electors of this State for adoption or rejection at the next election of members of the General Assembly, a proposition to amend the Constitution of this State as follows:

Resolved, That article IV of the Constitution of this State be amended by adding thereto a section to be numbered and known as section 34 and reading as follows, to-wit:

Section 34. The General Assembly shall have power, subject to the conditions and limitations hereinafter contained, to pass any law (local, special or general) providing a scheme or charter of local municipal government for the territory now or hereafter embraced within the limits of the city of Chicago. The law or laws so passed may provide for consolidating (in whole or in part) in the municipal government of the city of Chicago, the powers now vested in the city, board of education, township, park and other local governments and authorities having jurisdiction confined to or within said territory, or any part thereof, and for the assumption by the city of Chicago of the debts and liabilities (in whole or in part) of the governments or corporate authorities whose functions within its territory shall be vested in said city of Chicago, and may authorize said city, in the event of its becoming liable for the indebtedness of two or more of the existing municipal corporations lying wholly within said city of Chicago, to become indebted to an amount (including its existing indebtedness and the indebtedness of all municipal corporations lying wholly within the limits of said city, and said city's proportionate share of the indebtedness of said county and sanitary district which share shall be determined in such manner as the General Assembly shall prescribe) in the aggregate not exceeding five per centum of the full value of the taxable property within its limits, as ascertained by the last assessment either for State or municipal purposes previous to the incurring of such indebtedness (but no new bonded indebtedness, other than for refunding purposes, shall be incurred until the proposition therefor shall be consented to by a majority of the legal voters of said city voting on the question at any election, general, municipal or special); and may provide for the assessment of property and the levy and collection of taxes within said city for corporate purposes in accordance with the principles of equality and uniformity prescribed by this Constitution; and may abolish all offices, the functions of which shall be otherwise provided for; and may provide for the annexation of territory to or disconnection of territory from said city of Chicago by the consent of a majority of the legal voters (voting on the question at any election, general, municipal or special) of the said city and of a majority of the voters of such territory, voting on the question at any election, general, municipal or special; and in case the General Assembly shall create municipal courts in the city of Chicago it may abolish the offices of justices of the peace, police magistrates and constables in and for the territory within said city, and may limit the jurisdiction of justices of the peace in the territory of said county of Cook outside of said city to that territory, and in such case the jurisdiction and practice of said municipal courts shall be such as the General Assembly shall prescribe; and the General Assembly may pass all laws which it may deem requisite to effectually provide a complete system of local municipal government in and for the city of Chicago.

No law based upon this amendment to the Constitution, affecting the municipal government of the city of Chicago, shall take effect until such law shall be consented to by a majority of the legal voters of said city voting on the question at any election, general, municipal or special; and no local or special law based upon this amendment affecting specially any part of the city of Chicago shall take effect until consented to by a majority of the legal voters of such part of said city voting on the question at any election,

general, municipal or special. Nothing in this section contained shall be construed to repeal, amend or affect section four (4) of Article XI of the Constitution of this State.

Adopted by the House, April 22, 1903.

Concurred in by the Senate, April 22, 1903.

CLARK COUNTY—COURT REPORTS FOR.

WHEREAS, The court house in and for the county of Clark and State of Illinois, located at Marshall, Illinois, was on the 30th day of December A. D. 1902, destroyed by fire; and,

WHEREAS, The said fire totally destroyed the law library contained in said court house, consisting of Illinois Supreme Court Reports and Illinois Appellate Court Reports; therefore be it

Resolved, by the House of Representatives, the Senate concurring therein, that the Secretary of State of Illinois, be, and hereby is instructed to immediately furnish the said Clark county with a complete set of Illinois Supreme Court Reports and Appellate Court Reports of this State.

Adopted by the House April 16, 1903.

Concurred in by the Senate April 17, 1903.

ELECTION OF UNITED STATES SENATOR.

Resolved, by the House of Representatives, the Senate concurring therein, That on Tuesday, the 20th day of January instant, at the hour of 11 o'clock a. m., each house shall by itself and in the manner prescribed by sections 14 and 15 of the Revised Statutes of the United States, name a person for Senator in the Congress of the United States from the State of Illinois, for a term of six years, from the 4th day of March, A. D., 1903, and on Wednesday, the 21st day of January, instant, at 12:00 o'clock meridian, the members of the two Houses shall convene in joint assembly in the hall of the House of Representatives and in the manner prescribed by law declare the person who has received a majority of votes in each House, if any person has received such majority, duly elected Senator to represent the State of Illinois in the Congress of the United States for the term aforesaid. And if no person has received such majority, then proceed, as provided in said law, in joint assembly to choose a person for the purpose aforesaid.

Adopted by the House, January 7, 1903.

Concurred in by the Senate, January 8, 1903.

FORESTS OF ILLINOIS—PRESERVATION OF.

WHEREAS, Many of the forests heretofore existing within the State of Illinois have been destroyed and the forest area of said State is diminishing from year to year, to the manifest injury of the inhabitants of said State; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That the Department of Agriculture of the United States of America be, and it is hereby, requested to make an investigation as to the condition of the forests within the boundaries of the State of Illinois and make report thereof,

together with such recommendations as shall seem proper, as to the means necessary to be adopted for the purpose of preserving the forests now in existence and of encouraging the propagation, growth and protection of forests in general within said State; said report to be made [to] the Governor of this State with all convenient dispatch.

Adopted by the Senate, May 5, 1903.

Concurred in by the House, May 5, 1903.

ISLE OF PINES.

WHEREAS, More than 300 American citizens, now residents of the Isle of Pines, said American citizens owning more than one-half of the total territory of said island, have memorialized Congress for relief from the present government of the said Isle of Pines and are praying that the island be retained by the government as a part of the territory of the United States; and,

WHEREAS, The United States government continued the present government of the said Isle of Pines as a *de facto* government to formulate a new and better government for the island until the island of Cuba was turned over to the Cuban government; and,

WHEREAS, The Isle of Pines was ceded to the United States government by Spain and the Platt amendment omitted the said Isle of Pines from the proposed constitutional boundaries of Cuba and the Secretary of War for the United States has placed the Isle of Pines within the constitutional boundaries of Cuba contrary to the wishes of the American citizens there resident; and,

WHEREAS, The said 300 American citizens are colonists from the United States who have built permanent homes and made other improvements on said Isle of Pines in the reasonable belief that it was to continue to be territory of the United States and such American citizens are entitled to the protection of the United States government and desire to live under the flag of this country; therefore, be it

Resolved by the Senate of the 43rd General Assembly, the House concurring herein, That it is the sense of the General Assembly of the State of Illinois, that the said Isle of Pines be permanently retained as territory of the United States.

Resolved further, that the secretary of the Senate and the clerk of the House be, and, they are hereby instructed to forward to the United States Senators and Congressmen from Illinois a copy of these resolutions.

Adopted by the Senate, May 5, 1903.

Concurred in by the House, May 7, 1903.

SWEDEN AND FINLAND—RELIEF OF DESTITUTION.

WHEREAS, The people of Northern Sweden and Finland, by reason of total crop failures, are suffering from widespread want and destitution far beyond the ability of their own fellow-countrymen to alleviate and relieve; and,

WHEREAS, The spirit of our free institutions recognizes in every suffering human being a neighbor and a brother and commits our people and State to the broadest principles of humanity; and,

WHEREAS, The countries, whose people are now suffering, have contributed largely to this Republic, not only in material assistance in times of distress in this State and elsewhere, but also in the sturdy character of the men and women who have left their shores to add to the population and wealth of this nation; therefore, be it

Resolved, by the Senate of the State of Illinois, the House of Representatives concurring, That the Governor be, and he is hereby, requested to appoint a committee of citizens who shall coöperate with other committees and organizations working for the same cause in collecting and transmitting to the sufferers in the famine-stricken districts of Sweden and Finland money and supplies which may be contributed for said cause; and be it

Resolved further, That the Governor be, and he is hereby, requested to issue a proclamation to the people of the State urging them to give of their bounty for the relief of the starvation and suffering in said northern districts of Sweden and Finland.

Adopted by the Senate, February 17, 1903.

Concurred in by the House, February 17, 1903.

U. S. SENATORS—ELECTION BY POPULAR VOTE.

WHEREAS, By direct vote of the people of the State of Illinois at a general election held in said State, on the 4th day of November, A. D., 1902, it was voted that this General Assembly take the necessary steps under article 5, of the Constitution of the United States to bring about the election of United States Senators by direct vote of the people; and

WHEREAS, Article 5, of the Constitution of the United States provides that, on the application of the Legislatures of two-thirds of the several states, the Congress of the United States shall call a convention for proposing amendments; now, therefore, in obedience to the expressed will of the people as expressed at the said election, be it

Resolved, by the Senate, the House of Representatives concurring herein, That application be, and is hereby, made to the Congress of the United States to call a convention for proposing amendments to the Constitution of the United States, as provided for in said article 5; And, be it further

Resolved, That the Secretary of State do furnish to the President of the Senate of the United States, and to the Speaker of the House of Representatives of the United States, to each, one copy of this resolution, properly certified under the great seal of the State.

Adopted by the Senate, February 10, 1903.

Concurred in by the House, April 9, 1903.

UNITED STATES OF AMERICA, } ss.
STATE OF ILLINOIS,

OFFICE OF THE SECRETARY OF STATE.

I, JAMES A. ROSE, Secretary of State of the State of Illinois, do hereby certify that the foregoing Acts and Joint Resolutions of the Forty-third General Assembly of the State of Illinois, passed and adopted at the regular session thereof, are true and correct copies of the original acts and joint resolutions, now on file in the office of the Secretary of State, save and except such words, letters and figures as are printed in brackets, thus: [].

[SEAL.]

IN WITNESS WHEREOF, I hereto set my hand and affix
the Great Seal of State, at the city of Springfield,
this 21st day of May, A. D. 1903.

JAMES A. ROSE,
Secretary of State.

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